

Lee C.

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

BOARD MEETING

MAY 7 , 1992

**JAMES H. JENKINS, JR.
CHAIRMAN**

**UNO
NEW ORLEANS, LOUISIANA**

The following constitute minutes of the Commission Meeting
and are not a verbatim transcript of the proceedings.

Tapes of the meetings are kept at the
Louisiana Department of Wildlife and Fisheries
2000 Quail Drive

Baton Rouge, Louisiana 70808

For more information call (504) 765-2806

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NEW ORLEANS, LOUISIANA
UNIVERSITY CENTER, UNO
MAY 7, 1992

	Page
1. Roll Call	1
2. Approval of April 2, 1992 Commission Minutes	1
3. Safari Club International Agent of the Year Award	1
4. Crab Trap Issue	1
5. Resolution/Emergency Declaration on Setting the Spring Inshore Shrimp Season	2
6. Resolution/Notice of Intent to Establish Regulations for Waterfowl Tower Shooting	5
7. Ratification of the Amended Seismic Rules	11
8. Habitat Conservation Division Discussion	12
9. Redfish Report Discussion	13
10. Public Comments on the 1992-93 Hunting Seasons	15
11. Update on Civil Restitutions	15
12. Secretary's Report	16
13. Monthly Law Enforcement Report/April	17
14. Date for August Commission Meeting	18
15. Public Comments	18
16. Adjournment	18

MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

May 7, 1992

Chairman James H. Jenkins, Jr. presiding.

Thursday May 7, 1992

Bert Jones
Tee John Mialjevich
Warren Pol
Jeff Schneider
Pete Vujnovich

Commissioner Norman McCall, Vice Chairman, was absent from the meeting.

Secretary Joe L. Herring was also present.

Chairman Jenkins called for a motion for approval of the April 2, 1992, Commission Minutes. A motion for approval was made by Commissioner Mialjevich and seconded by Commissioner Vujnovich. The motion passed unanimously.

Major Brad Smith announced that the Safari Club International Agent of the Year Award is being awarded to Mrs. Karen Aycock, wife of deceased Agent Ken Aycock who lost his life in July of last year, and his father Mr. Don Aycock. Major Smith recognized Mrs. Karen Aycock and Mr. Don Aycock, Ken's father. Mr. Bill Simmons of the Safari Club gave a brief history of Shikar Safari Club International. The club makes an award to a meritorious officer in each of the fifty states and all of the canadian provinces once a year. Mr. Simmons, at this time during the meeting, introduced Colonel Stu Rosse, Command Pilot of the Apollo 14 moon flight. Colonel Rosse said a few words about wildlife, the outdoors and what it has meant to him in his life and the lives of his children. At this point in the meeting the award was presented to Mrs. Aycock and Mr. Aycock.

Commissioner Tee John Mialjevich brought up the Crab Trap Issue. Commissioner Mialjevich commented that a clarification is needed of how the wildlife and fisheries department is going to enforce the crab trap possession regulation when they are caught in trawls and put on the deck, what is a derelict, etc. A concise understanding is needed on what is going to be allowable and not allowable. Commissioner Milajevich asked Enforcement Division to enlighten the Commission and public on this.

Colonel Vidrine informed Commissioner Milajevich that the way it is enforced now is as his people are patrolling and come upon a

shrimp vessel that has five or ten crab traps that are legally tagged with buoys, they are presumably in violation. If a vessel is out trawling and picks up an old trap that is not tagged, etc. it is recommended that they take it on board, mash it down and dispose of it back on land in the proper manner. The department has to be reasonable in what they do and if a shrimper picks up a legal crab trap, puts it on board the boat and then throws it back in the water after they are finished trawling in that area, the department will not cite them for this type of violation. If a shrimper does have five or ten legal crab traps on his boat he needs to be charged.

Commissioner Mialjevich asked what should be done if a shrimper is running at night and catches a crab trap in his trawl whose rope has been cut and the float is gone; this is not a derelict trap nor is it an old trap. Is there some kind of way the shrimper can convey to the agent what happened.

Colonel Vidrine commented that they would not have any problem with one trap but with a dozen they would.

Chairman Jenkins asked if anyone in the audience had anything to say on this issue.

Mr. Bill Dekemel, President, East Bank Commercial Fishermen's Association, requested that the Enforcement Division put something in writing that can be distributed throughout the trade organizations to the shrimpers on this issue and explained several scenarios of the crab trap problem. The shrimpers cannot continue to deal with the opinion of the officer on duty at the time. It is going to have to be black and white.

Colonel Vidrine pointed out that the officer has to prove intent to violate the law and that the Commission and Secretary set the policies for the department. Enforcement Division enforces the policies. Enforcement can meet with the Commission and set some sort of policy.

Commissioner Mialjevich suggested that the Shrimp Task Force make a recommendation for the next Commission meeting. Chairman Jenkins agreed that this would be the best thing to do.

The Resolution/Emergency Declaration on Setting the Spring Inshore Shrimp Season was discussed and acted upon at the shrimp hearing which preceded the Commission meeting Chairman Jenkins announced, but that another vote should be taken on this at the Commission meeting and recognized Commissioner Schneider on the resolution.

Commissioner Schneider read for the record the "Therefore Be It Resolved" portion of the resolution and made a motion that the 1992 Spring Inshore Shrimp Season opens as follows. Zone 1 will open June 1, 1992 at 6 a.m.; Zone II will open May 18, 1992 at 6 a.m.;

and Zone 3 will open June 1, 1992 at 6 a.m.; the Secretary of the department will have the authority to set special white shrimp seasons; change the opening date or close the 1992 spring inshore shrimp season in any area or zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so. The motion for adoption of the resolution/declaration of emergency on the shrimp seasons was seconded by Commissioner Mialjevich and passed unanimously.

(The full text of the resolution
is made a part of the record)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

MAY 7, 1992

Adopted by the Wildlife and Fisheries Commission at its regular meeting on May 7, 1992 in New Orleans, Louisiana, relative to the 1992 spring inshore shrimp season.

WHEREAS, R.S. 56:497 provides that the Wildlife and Fisheries Commission shall fix no less than two open shrimp seasons each year for all inside waters, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be opened by Zone, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be based upon biological and technical data, and

WHEREAS, the Wildlife and Fisheries Commission has reviewed in public hearing the biological and technical data presented by the Department of Wildlife and Fisheries on shrimp populations and environmental conditions present in Louisiana's coastal waters during the spring of 1992, and

WHEREAS, the Wildlife and Fisheries Commission has received public testimony relative to this biological and technical data as well as other factors relative to the 1992 spring inshore shrimp season, now

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does

hereby:

1. Set the 1992 spring inshore shrimp season to open as follows:

- a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the Louisiana/Mississippi state line to South Pass of the Mississippi River at 6:00 a.m. on June 1, 1992, and
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:945, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island at 6:00 a.m. on May 18, 1992, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on June 1, 1992.
2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to set special white shrimp seasons, to change the opening date or close the 1992 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.

James H. Jenkins, Jr.
Chairman

Joe L. Herring
Secretary

(The full text of the emergency declaration is made a part of the record)

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, R.S. 49:967 and R.S. 56:497 the Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

The Wildlife and Fisheries Commission does hereby:

1. Set the 1992 spring inshore shrimp season to open as follows:

- a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the Louisiana/Mississippi state line to South Pass of the Mississippi River at 6:00 a.m. on June 1, 1992, and
- b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:945, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island at 6:00 a.m. on May 18, 1992, and
- c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on June 1, 1992.

The Commission finds that shrimp in these zones are projected to be of legal size count and will meet the management criteria by the opening dates of the season.

James H. Jenkins, Jr.
Chairman

Mr. Robert Helm presented a Resolution/Notice of Intent to Establish Regulations for Waterfowl Tower Shooting. As duck hunting regulations have become more restrictive and hunting success has fallen off, some groups have attempted to use pen-reared birds to supplement the wild duck hunting. Two methods have been used, to date, in the United States. One is direct releases of pen-reared free-flighted birds into natural wetlands. These birds can then be harvested during the regular duck season without regard to daily bag limit. The U.S. Fish and Wildlife Service, responsible for regulating this type of activity, will most likely discontinue to permit this type of operation because of repeated conflicts with live decoying regulations and baiting regulations. These regulations are being reviewed now and it is anticipated that the Federal government will change them in the next fiscal year. The second method has been the use of tower shoots or controlled shoots. Birds are released in a controlled fashion from an elevated tower and they proceed to fly out over hunters positioned between a release site and a pond. Twenty percent of the birds released in this fashion are not accounted for. The department has consistently been opposed to the direct releases as well as the tower shoots when they are near wetland habitats. The primary reason for this position is the potential transfer of disease to wild populations resulting from wild birds mixing with the pen-reared birds. The proposed regulations are designed to prevent this sort of thing. The department does not oppose tower shoots

in geographic areas or habitat types where the potential for interreaction with wild birds is minimal. The licensing of these preserves using mallards has been consistent with this position to date. There have been eight requests for shooting preserves and five have been denied because they were in wetland habitats. The department could basically see the rush into this type of activity and recognized the need for more specific regulations and guidelines. The proposed rule is basically the same as the unwritten policy that the department has been practicing these last few years. Mr. Helm read the "Therefore Be It Resolved" portion of the resolution.

Chairman Jenkins called for a motion for adoption. A motion was made by Commissioner Jones for adoption of the resolution/notice of intent. Commissioner Pol seconded the motion.

Chairman Jenkins called for discussion from the Commission. Mr. Jones asked about the eight applicants with five being declined and if there were three in existence. Mr. Helm answered there were three that have been licensed to date and are towered or controlled. Mr. Schneider asked if this was being done in a lot of other states. Mr. Helm answered that it is and pointed out that Maryland has released 1.2 million domestic mallards in the natural wetlands of Chesapeake Bay in the last eight years. This is the type of activity that the department wants to avoid and is not authorized through this rule.

Chairman Jenkins called for comments from the public. There being none, Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the resolution
is made a part of the record)

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

- WHEREAS, authority to establish requirements for Hunting Preserves is vested with the Louisiana Wildlife and Fisheries Commission in accordance with R.S. 56:651, and
- WHEREAS, wild duck hunting regulations have become very restrictive and correspondingly, requests for Hunting Preserves using mallards have increased dramatically the past 2 years, and
- WHEREAS, the Louisiana Department of Wildlife and Fisheries has health concerns related to interaction of released mallards and pheasants with wild waterfowl and wild turkeys, respectively, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has additional enforcement concerns regarding mallard releases into the wild, and

WHEREAS, the existing regulations governing Hunting Preserves are inadequate to protect wildlife resources, particularly waterfowl and wild turkeys, now

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take and all necessary steps on behalf of the Commission to promulgate the effectuate this Notice of Intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

James H. Jenkins, Jr.
Chairman

Joe L. Herring
Secretary

(The full text of the Notice of Intent is made a part of the record)

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Department of Wildlife and Fisheries and Wildlife and Fisheries Commission does hereby give notice of its intent to adopt a rule governing hunting preserves.

Title 76

Part V. Wild Quadrapeds and Wild Bird

Chapter 3. Wild Birds

Section 317. Hunting Preserve Regulations

As provided by R.S. 56:651, the Department may issue a license to operate Hunting Preserves. Hunting Preserves are to be operated under the following regulations.

A. Application Requirements

1. Application shall be made in writing on forms provided by the Department.

2. Applicant must provide proof of ownership or verification of exclusive hunting rights from the landowner upon the property the Hunting Preserve is to be operated. This is to be returned with the application.

3. The Department may revoke any Hunting Preserve license for failure to comply with any fish or wildlife laws; for reasons relating to disease or public health or for failure to abide by the rules and regulations established for this hunting preserve program.

B. Suitability of Area for Use as a Hunting Preserve

1. No license for a Hunting Preserve shall be issued until an on-site investigation has been completed by the Department and the Department has determined that the property is suitable for the purpose of the proposed Hunting Preserve. The Department shall base its determination on whether or not the proposed shooting area will cause conflicts with wild migratory game bird hunting, or be in violation of state and federal regulations concerning the feeding of migratory waterfowl or the use of live decoys, that the establishment of the shooting area will be in the public interest, and that the operation of a Hunting Preserve at the location specified in the application will not have a detrimental effect upon wild migratory or resident game birds.

2. No license shall be issued for any Hunting Preserve situated on a marsh, lake, river or any other place where there are concentrations of wild waterfowl or if its operations are likely to result in attracting such concentrations of wild waterfowl.

3. No Hunting Preserve using mallards shall be located within 5 miles of any wildlife area with significant waterfowl concentration owned or leased by the state or federal government or by non-profit conservation organizations.

4. Licenses for Hunting Preserves using mallards will not be issued in the coastal zone, defined as that area south of I-10 from the Texas state line to Baton Rouge, south of I-12 from Baton Rouge to Slidell and south of I-10 from Slidell to the Mississippi State line.

5. No license shall be issued for the use of pheasants on any Hunting Preserve situated within areas with medium to high turkey populations. In areas with low turkey populations and low potential for expansion pheasants may be used. This determination will be made at the local level by a Department biologist in

consultation with the turkey study leader. Agricultural areas contiguous to occupied turkey habitat may use pheasants if the preserve boundaries are at least 1/2 mile from the nearest woodland.

C. Types of Releases Allowed

1. The use of mallards on Hunting Preserves is limited to those operations whereby domestic mallards are released in a controlled fashion to proceed over positioned shooters in their flight path. No direct releases of any species of domesticated waterfowl into the wild for any sporting purposes or for any reasons are permitted within the state.

2. Quail may be released after September 1 on Hunting Preserves for the purpose of providing coveys for hunting. Pheasants and chukars may not be released on Hunting Preserves more than 1 day prior to a scheduled hunt. No direct releases of domesticated game birds, including but not limited to quail, pheasants and chukars, into the wild for purpose of population establishment are permitted within the state.

D. Inspection of Permitted Areas and Domesticated Game Birds

1. Applicant must provide proof that the birds to be released originated from a source flock participating in the National Poultry Improvement Plan (NPIP) within (365) three hundred sixty five days prior to release and have not been in contact with birds from non-NPIP sources.

2. The premises of game bird production facilities and/or holding pens may be inspected by the Department or by a designated agent for assessment of health of birds and sanitation of facilities. General pen requirements must conform to those adopted by the Louisiana Wildlife and Fisheries Commission for game breeders.

3. Accurate records of animal husbandry and mortality must be maintained at production/holding facilities and will be subject to periodic inspection by the Department.

4. Every person who brings or causes to be brought into this state live domestically reared game birds for shooting purposes must comply with Livestock Sanitary Board regulations on livestock, poultry, and wild animals (R.S. 7:11705 and 11789). A copy of the health certificate must also be forwarded to the Department of Wildlife and Fisheries for each shipment of birds. Any shipment of birds not accompanied by a health certificate shall be destroyed or returned to the place of origin by the importer at his sole cost and responsibility.

E. Hunting Licenses Requirements

1. A basic hunting license or Hunting Preserve license is required of all persons hunting on Hunting Preserves. In addition, a state duck stamp is required as provided by law of all persons taking mallards on any hunting preserves.

F. Season Dates

1. The season during which shooting will be permitted shall be set by the Louisiana Wildlife and Fisheries Commission. The current season is fixed for the period of October 1 through April 30.

G. Shooting Hours

1. Shooting hours for Hunting Preserves shall be set by the Louisiana Wildlife and Fisheries Commission. The current hours are one-half hour before sunrise to sunset.

H. Methods of Take

1. Shotguns 10 gauge or smaller using steel or lead shot incapable of holding more than three shells in the magazine and chamber combined;

2. Muzzle-loading shotguns;

3. Falconry;

4. Archery equipment.

I. Existing state laws R.S. 56:651-659 and federal law 50 CFR 21:13 address bird banding, bird identification, bird transportation, reports and records and other issues. Compliance with these state and federal laws are mandatory.

J. Changes in Rules

1. The Louisiana Wildlife and Fisheries Commission and the U.S. Fish and Wildlife Service may from time to time make changes in these rules and it is the responsibility of the licensee to apprise himself of any changes and to abide by them.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:651, 56:652, 56:653, 56:654, 56:655, 56:656, 56:657, 56:658, and 56:659.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 18: (1992).

Interested persons may submit written comments of the proposed rule to Robert Helm, Waterfowl Biologist, Game Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, July 15, 1992.

James H. Jenkins, Jr.
Chairman

The Ratification of the Amended Seismic Rules was brought before the Commission by Ms. Karen Foote. Ms. Foote commented that this is a promulgation of the notice of intent that was published in December of 1991 in the State Register. The difference between what was published and what is now before the Commission is the 3D Airgun rates which have decreased.

Commissioner Vujnovich asked about the \$100 per drill shot and thought this rule was for airguns only. Ms. Foote explained in order to promulgate the rule the whole paragraph needed to be included and that the drill shot point at \$100 is already in the rule. The whole paragraph needs to be published again and the new part added at the bottom.

Chairman Jenkins called for a motion for adoption of the rule. A motion was made by Commissioner Schneider and seconded by Commissioner Mialjevich. Chairman Jenkins called for questions from the Commission. There being none, discussion from the audience was called for. There being none Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the rule is made
made a part of the record)

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

The Louisiana Wildlife and Fisheries Commission does hereby adopt the amended rules pertaining to seismic operations and the use of airgun surveys on designated red lined oyster grounds belonging to the state.

TITLE 76
WILDLIFE AND FISHERIES
PART I. WILDLIFE AND FISHERIES COMMISSION AND
AGENCIES THEREUNDER

Chapter 3. Special Powers and Duties
Subchapter A. Seismic Exploration
301. Regulation

* * *

AG. Seismic operators making application to work on any designated red lined oyster seed ground belonging to the state of Louisiana will be required to pay the following fees in addition to the supervisory fees: \$100 per drilled shot hole or \$1000 per linear mile, whichever is greater, for reflective or refractive cable. For airguns only, the following fees apply: \$1000 per linear mile in water depths less than or equal to five feet;

\$ 400 per linear mile in water depths greater than five feet and less than or equal to 10 feet deep; \$ 200 per linear mile in water depths greater than 10 feet; OR, for 3-D airgun surveys: \$12,500 per square mile in water depths less than or equal to five feet; \$ 5,000 per square mile in water depths greater than five feet and less than or equal to 10 feet deep; \$ 2,500 per square mile in water depths greater than 10 feet.

All of these fees are to be paid in advance. All fees will be reviewed each January.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:214 and R.S. 36: 609.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 4:300 (August 1978), amended LR 10:410 (May 1984), amended LR 13:115 (February 1987), amended LR 18: (May 1992).

James H. Jenkins, Jr.
Chairman

Commissioner Bert Jones called for a discussion on the Habitat Conservation Division. Commissioner Jones commented that a lot has happened since he placed this item on the agenda but that his concerns were still there. Commissioner Jones pointed out that he and the other Commissioners were totally unaware of any discussion to transfer the Habitat Conservation Division to the Department of Culture, Recreation and Tourism where it would be absorbed into an archeological program and asked Secretary Herring to brief him on this matter.

Secretary Herring commented on the circumstances that took place on the proposed transfer of the Habitat Conservation Division to the Culture Recreation and Tourism Department, State Parks. The proposal first surfaced during budget meetings with the Division of Administration. This transfer was discussed to Secretary Mark Hilzim but since the Division of Administration would not transfer monies from the general fund from the Department of Wildlife and Fisheries to the Department of Culture, Recreation and Tourism this proposal has been dropped.

Further discussion ensued between Secretary Herring and Commissioner Jones on this issue on the monies to run the program, where the program was going from here, etc. Secretary Herring commented that, as it looks now, the program will probably be handled in the department and put under the supervision of the Game Division. Commissioner Jones stated that he feels like the Habitat Conservation Division is a very important part of the department;

that it should be maintained within the department; and he encouraged Secretary Herring to do this.

The Redfish Report was brought before the Commission by Commissioner Schneider. Commissioner Schneider stated that the Commission was requested to go before the House Natural Resources Committee last week and undergo criticism about the Redfish report. The criticism took Commissioner Schneider by surprise. He was under the impression that the Commission was supposed to make a report by the first of March (by law) and thought this requirement had been complied with. Commissioner Schneider asked for a explanation on this situation and what had happened.

Chairman Jenkins gave a brief report on this situation. He was notified to appear before the Natural Resources Committee on Thursday and discuss the Redfish Report. Chairman Jenkins notified the Chairman of the committee, via his secretary, that he was suppose to be in New Orleans at a National Marine Fisheries meeting and would appreciate it if they could just answer questions and not have to be there at that particular time. Chairman Jenkins left his home phone number if this was not satisfactory so that he could be called at night. There was no further word so he went to New Orleans the next day. The next day he called the Committee Chairman's office to double check and left the meeting location in New Orleans with the secretary. The Committee Chairman called and suggested that Chairman Jenkins and as many Commission members as possible attend the meeting to discuss the Redfish Report. Chairman Jenkins cancelled his National Marine Fisheries meeting, got together the Commission members that could attend the hearing and appeared before the committee. This report was due, by law that went into effect last year, on March 1, 1992. Approximately a week prior, Chairman Jenkins made an inquiry to the Secretary of the department to see if they had information or input available for the report. The Secretary informed Chairman Jenkins that he did not know anything about it but would check on it. By Friday Chairman Jenkins had not received word from the department so he called Dr. Richard Condry at LSU, in charge of the offshore stock assessment on redfish, and Dr. Jerry Clark, former Assistant Secretary, Office of Fisheries. A report was put together, reviewed by the Commissioners and all approved except Commissioner Mialjevich whom they could not get ahold of. The report was hand delivered and was received by March 1. Three weeks later Chairman Jenkins was in the Wildlife and Fisheries Building on Quail Drive when a staff member stated that the department had the Redfish Report ready. The staff member was informed that the Commissioners had sent the report in and was advised that if anybody wanted to see the department's report to let them see it as it was public information. Both reports made the same conclusion which was additional harvest of redfish could not be taken. Chairman Jenkins asked if somebody from the department would tell them why the department's report was not on time.

Mr. John Roussel stated that he could offer some information on this situation as he was actively involved in overseeing the preparation of the report. A portion of the staff was under the impression that the report was due from the department because the original instrument filed by the Legislator did not reference the Commission. Somewhere in the legislative process it was changed to Commission. Irregardless, the report needed to be produced and the decision was made at the time to begin developing the report in late February because LSU's most recent information on the offshore age structure which is collected by Dr. Chuck Wilson was not available but would be available in the coming weeks. Also, the data from the Marine Recreational Survey was not available. This information was received by February 11th. The analysis of the data was identical to what the department completed last year in the management plan, simply new data interjected into the same analysis. The analysis was completed on the 21st of February. The actual narrative portion began to be drafted at this point in time; first draft was completed on March 2nd; final draft was completed on March 13th, at which time a transmittal letter was prepared from Secretary Herring's signature to the Commissioners transmitting the report.

Chairman Jenkins stated that if there is going to be criticism the Commission and department will receive it together.

A motion was made by Commissioner Schneider that policy for the Commission and department pertaining to reports will be that they be submitted on time. The motion was seconded by Commissioner Jones. Chairman Jenkins called for comments.

Commissioner Mialjevich suggested that if there is going to be a set rule to make a report on a certain date that an extension should be requested so that the information is current and correct. If there is an understanding such as this Commissioner Mialjevich stated that he would fully agree with the motion.

Chairman Jenkins pointed out that a report can be made timely and it could say that the information is not available to make a good report and will be made when available.

Commissioner Jones questioned Mr. Roussel about the reports and the dates the information was received. Commissioner Schneider stated that he thinks the Commissioners should be notified of the working process and does not think they should have to chase people down looking for it.

Commissioner Schneider further stated that he would accept Commissioner Mialjevich's amendment to his motion. Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

At this time during the meeting **Public Comments on the 1992-93 Hunting Seasons** were addressed. Mr. Hugh Bateman, Administrator, Game Division, advised the Commissioners that the department has received a number of public comments both in the form of letters and phone calls. A written report will be provided to the Commissioners at the June Commission meeting which will give them a month to look at what has transpired. Action can be taken for ratification of the seasons at the July Commission meeting and at that particular time the staff will make some additional recommendations to the Commission on some minor changes in the original notice.

Commissioner Schneider asked about the turkey season. Mr. Bateman advised that most of the areas that information was collected from were consistent and there was not much production last year. There was a shortage of young birds in the field. This was not exactly the case in every area but was consistent throughout the state and in southwest Mississippi according, to reports. If the current weather situation continues for the next four weeks a bumper crop of young birds should be produced, advised Mr. Bateman. Chairman Jones asked if there have been a number of diseased birds in Louisiana. He has heard that this has happened in Mississippi. Mr. Bateman commented that there has not; there were a couple of birds turned in during the late winter and one was a confirmed pneumonia type situation, which is not uncommon, and the other was a blackhead, which is not uncommon. The department has received no overwhelming reports on diseased birds, advised Mr. Bateman.

Commissioner Pol asked if the turkey hunting was better in New Mexico than Louisiana. Mr. Bateman answered it depends on who you talk to and how good a shape they are in.

Mr. Fred Prejean gave an **Update on Civil Restitutions**. Mr. Prejean reported that specific steps have been taken to advise people of the citations which have been issued and the process of the actual collection of dollars. Last month it was announced that some \$7,000 was collected and an additional \$4,500 has been collected since that time. The salary of the person involved in the civil restitution funds has been paid for a twelve month period within the two months collections. The program is successful to the extent that it is paying the salary of the individual involved, however, it was pointed out by Mr. Prejean that the program was intended to defer people from committing the infractions as opposed to an actual fund raising/revenue raising activity. The attorney that is to be utilized in the event that an actual civil suit is to be made has been selected. Mr. Prejean pointed out that it was the coming together of all people/sections involved to form a committee and attack the program in a democratic fashion that has brought the department to the point where the program is working. Mr. Prejean inquired of the Commissioners if they still wanted this report to be given on a monthly basis as the program is turning out to be just another one of the division's activities. Mr. Jones

believes that this has generated a little more interest since it has been on the agenda every month and would like to see it stay on the agenda and be kept in front of the public.

At this point during the meeting, Mr. Glenn Goucheaux, Hessmer, LA, Avoyelles Wildlife Federation, addressed the Commission on the 1991-92 hunting season and dog hunting. He does not like the days being cut back and would like the dog days back. Problems with Grassy Lake Wildlife Management Area and hunters.

Mr. Darryl Hunt, Nature Conservancy, addressed the Commission on the Habitat Conservation Division and shares Commissioner Jones' concerns about the division and the various non-game programs. These programs are critical to the future success of the department and the Nature Conservancy would like to see them share the same profile that the Game programs are sharing.

Secretary Herring gave the Secretary's Report to the Commission. The U.S. Department of the Interior through the U.S. Fish and Wildlife Service has been visiting the state and toured facilities that are operated under federal aid such as the Alexandria Environmental Educational Center, Natchitoches Shooting Range, Sherburne Shooting Range, etc.

Mr. Robert Helm, Waterfowl Study Leader, received letters of recognition from the Regional Director, Jim Pullium, pertaining to quotas on wood duck banding.

The South Louisiana Taxidermy Association hosted their annual meeting in Lake Charles and Secretary Herring attended. Each year they have a contest and assign a species to be mounted. Any taxidermist can enter and the specimen that wins is donated to the department. One of the original founders of the contest, Mr. Howard J. Callahan, won this year and the association will probably be getting in touch with Chairman Jenkins to have this put on the agenda for the donation. This year the specimen is a Mourning Dove.

The fish hatchery on Toledo Bend produced approximately twenty two million fingerlings (hybrids and stripers) this year. These will be used for stocking purposes by the department, some will be exchanged to the U.S. Fish and Wildlife Service for Florida Bass and some will be used for research purposes.

Mr. Bob Dennie has notified Secretary Herring that during the month of June the National Touring Exhibit of Award Winning Photographs of Wildlife will be in Baton Rouge and possibly some other points in Louisiana for six weeks.

Staff members have spent much time in the Legislature so far this year pertaining to legislative matters and will probably be spending much more time there until July.

A new piece of land has been purchased in the Tunica Hills and is an addition to other lands that the department has purchased. This land borders the river and is very beautiful. Secretary Herring asked Mr. Robert Love who is in charge of the land acquisition program for the Game Division to give a brief preview of this land.

Mr. Love reported that this was the purchase of the 42nd wildlife management area for the department. This area consists of 2,354 acres for \$847,800 in West Feliciana Parish. It is adjacent to another 590 acres that the Habitat Conservation Section acquired last summer bringing the total to 2,944 acres. The Nature Conservancy has holdings of 413 acres which is centrally located in this block. The area is being proclaimed the Tunica Hills Wildlife Management Area and will be opened to the public for deer, squirrel rabbit, woodcock, and turkey hunting, as well as day hiking, berry picking, picnicking and scenic view. The area is home to a variety and great diversity of species. Many of these species cannot survive in the hotter climates of the state. The area is only about twenty five/thirty miles from Baton Rouge. The area fits the demographic objectives of the department's land acquisition program. At this point during the meeting, Mr. Love recognized some of the people that have been instrumental in the multi-discipline approach to land acquisition.

Commissioner Pol asked what was the status of the new fish hatchery. Secretary Herring advised that the hatchery was left out of the Capital Outlay when the last administration submitted the budget. The report that was received recommended that the best place to put the new hatchery was at the existing hatchery at Alexandria. The department has contacted Senator Joe McPherson and when the Capital Outlay comes to the Senate he will amend it and put the hatchery back into the budget at that time. The full amount of six million dollars will be requested.

The Monthly Law Enforcement for April was given by Colonel Winton Vidrine. The following citations were issued for the month of April 1992.

Colonel Vidrine informed Commissioner Jones that the redfish case is scheduled to go to court within the next two weeks and hopefully this time there will be an interpreter present in the court. A report will be given next month as to the outcome of the case.

Region I - Minden - 140 cases.

Region II - Monroe - 169 cases.

Region III - Alexandria - 210 cases.

Region IV - Ferriday - 123 cases.

Region V - Lake Charles - 233 cases.

Region VI - Opelousas - 317 cases.

Region VII - Baton Rouge - 492 cases.

Region VIII - New Orleans - 275 cases.

Region IX - Thibodaux - 307 cases.

The offshore boats had a total of 44 cases. The Oyster Strike Force issued a total of 25 citations.

The grand total of citations issued statewide for the month of April was 2,205 cases.

Commissioner Schneider asked about a case in St. John's Parish where a judge said you had to have probable cause to inspect the boat. Colonel Vidrine advised that he was not sure what parish but something did come in last week on this and a copy of that particular hearing was turned over to the Legal Section. Mr. Mike Landrum, Legal Counsel, commented that this was the McHugh case, a criminal case, and came out of St. Mary. The First Circuit did decide essentially as Commissioner Schneider said and the District Attorney who is handling the case has asked for a rehearing. It is believed that the case will end up in the Supreme Court. There is some confusion at the Supreme Court level as to the absolute authority of our wildlife agents.

The Date for the August Commission was set. The date was set for August 7, 1992, and will be held at the Baton Rouge office in the Louisiana Room.

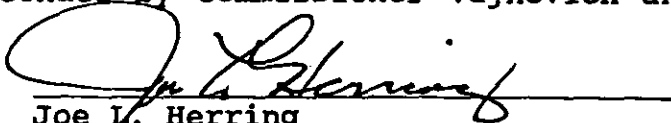
Public Comments were called for. There were no comments from the public but Secretary Herring made a comment.

Secretary Herring stated that sometimes things come up and extended to the Commissioners an invitation to meet with the staff and discuss things that are going on. Chairman Jenkins said that this would be fine but they have got to be aware of the open meeting law and if it could be done within the perimeters of the law it would be fine.

Commissioner Jones asked for a full legislative update at the next Commission meeting. Commissioner Mialjevich suggested that the Commission and department meet and have a legislative bill review meeting aside from a Commission meeting. A short discussion on the Commission receiving legislative information took place.

There being no other business to be brought before the Commission, Chairman Jenkins called for a motion for Adjournment. Commissioner Mialjevich made a motion to adjourn the May 7, 1992 Commission

meeting. The motion was seconded by Commissioner Vujnovich and passed unanimously.



Joe L. Herring
Secretary

JLH:sb

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

BOARD MEETING

MAY 7 , 1992

**JAMES H. JENKINS, JR.
CHAIRMAN**

**UNO
NEW ORLEANS, LOUISIANA**

The following constitute minutes of the Commission Meeting
and are not a verbatim transcript of the proceedings.

Tapes of the meetings are kept at the
Louisiana Department of Wildlife and Fisheries
2000 Quail Drive

Baton Rouge, Louisiana 70808

For more information call (504) 765-2806

AGENDA
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
NEW ORLEANS, LOUISIANA
UNIVERSITY CENTER, UNO
MAY 7, 1992

	Page
1. Roll Call	1
2. Approval of April 2, 1992 Commission Minutes	1
3. Safari Club International Agent of the Year Award	1
4. Crab Trap Issue	1
5. Resolution/Emergency Declaration on Setting the Spring Inshore Shrimp Season	2
6. Resolution/Notice of Intent to Establish Regulations for Waterfowl Tower Shooting	5
7. Ratification of the Amended Seismic Rules	11
8. Habitat Conservation Division Discussion	12
9. Redfish Report Discussion	13
10. Public Comments on the 1992-93 Hunting Seasons	15
11. Update on Civil Restitutions	15
12. Secretary's Report	16
13. Monthly Law Enforcement Report/April	17
14. Date for August Commission Meeting	18
15. Public Comments	18
16. Adjournment	18

MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

May 7, 1992

Chairman James H. Jenkins, Jr. presiding.

Thursday May 7, 1992

Bert Jones
Tee John Mialjevich
Warren Pol
Jeff Schneider
Pete Vujnovich

Commissioner Norman McCall, Vice Chairman, was absent from the meeting.

Secretary Joe L. Herring was also present.

Chairman Jenkins called for a motion for approval of the April 2, 1992, Commission Minutes. A motion for approval was made by Commissioner Mialjevich and seconded by Commissioner Vujnovich. The motion passed unanimously.

Major Brad Smith announced that the Safari Club International Agent of the Year Award is being awarded to Mrs. Karen Aycock, wife of deceased Agent Ken Aycock who lost his life in July of last year, and his father Mr. Don Aycock. Major Smith recognized Mrs. Karen Aycock and Mr. Don Aycock, Ken's father. Mr. Bill Simmons of the Safari Club gave a brief history of Shikar Safari Club International. The club makes an award to a meritorious officer in each of the fifty states and all of the canadian provinces once a year. Mr. Simmons, at this time during the meeting, introduced Colonel Stu Rosse, Command Pilot of the Apollo 14 moon flight. Colonel Rosse said a few words about wildlife, the outdoors and what it has meant to him in his life and the lives of his children. At this point in the meeting the award was presented to Mrs. Aycock and Mr. Aycock.

Commissioner Tee John Mialjevich brought up the Crab Trap Issue. Commissioner Mialjevich commented that a clarification is needed of how the wildlife and fisheries department is going to enforce the crab trap possession regulation when they are caught in trawls and put on the deck, what is a derelict, etc. A concise understanding is needed on what is going to be allowable and not allowable. Commissioner Milajevich asked Enforcement Division to enlighten the Commission and public on this.

Colonel Vidrine informed Commissioner Milajevich that the way it is enforced now is as his people are patrolling and come upon a

shrimp vessel that has five or ten crab traps that are legally tagged with buoys, they are presumably in violation. If a vessel is out trawling and picks up an old trap that is not tagged, etc. it is recommended that they take it on board, mash it down and dispose of it back on land in the proper manner. The department has to be reasonable in what they do and if a shrimper picks up a legal crab trap, puts it on board the boat and then throws it back in the water after they are finished trawling in that area, the department will not cite them for this type of violation. If a shrimper does have five or ten legal crab traps on his boat he needs to be charged.

Commissioner Mialjevich asked what should be done if a shrimper is running at night and catches a crab trap in his trawl whose rope has been cut and the float is gone; this is not a derelict trap nor is it an old trap. Is there some kind of way the shrimper can convey to the agent what happened.

Colonel Vidrine commented that they would not have any problem with one trap but with a dozen they would.

Chairman Jenkins asked if anyone in the audience had anything to say on this issue.

Mr. Bill Dekemel, President, East Bank Commercial Fishermen's Association, requested that the Enforcement Division put something in writing that can be distributed throughout the trade organizations to the shrimpers on this issue and explained several scenarios of the crab trap problem. The shrimpers cannot continue to deal with the opinion of the officer on duty at the time. It is going to have to be black and white.

Colonel Vidrine pointed out that the officer has to prove intent to violate the law and that the Commission and Secretary set the policies for the department. Enforcement Division enforces the policies. Enforcement can meet with the Commission and set some sort of policy.

Commissioner Mialjevich suggested that the Shrimp Task Force make a recommendation for the next Commission meeting. Chairman Jenkins agreed that this would be the best thing to do.

The Resolution/Emergency Declaration on Setting the Spring Inshore Shrimp Season was discussed and acted upon at the shrimp hearing which preceded the Commission meeting Chairman Jenkins announced, but that another vote should be taken on this at the Commission meeting and recognized Commissioner Schneider on the resolution.

Commissioner Schneider read for the record the "Therefore Be It Resolved" portion of the resolution and made a motion that the 1992 Spring Inshore Shrimp Season opens as follows. Zone 1 will open June 1, 1992 at 6 a.m.; Zone II will open May 18, 1992 at 6 a.m.;

and Zone 3 will open June 1, 1992 at 6 a.m.; the Secretary of the department will have the authority to set special white shrimp seasons; change the opening date or close the 1992 spring inshore shrimp season in any area or zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so. The motion for adoption of the resolution/declaration of emergency on the shrimp seasons was seconded by Commissioner Mialjevich and passed unanimously.

(The full text of the resolution
is made a part of the record)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

MAY 7, 1992

Adopted by the Wildlife and Fisheries Commission at its regular meeting on May 7, 1992 in New Orleans, Louisiana, relative to the 1992 spring inshore shrimp season.

WHEREAS, R.S. 56:497 provides that the Wildlife and Fisheries Commission shall fix no less than two open shrimp seasons each year for all inside waters, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be opened by Zone, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be based upon biological and technical data, and

WHEREAS, the Wildlife and Fisheries Commission has reviewed in public hearing the biological and technical data presented by the Department of Wildlife and Fisheries on shrimp populations and environmental conditions present in Louisiana's coastal waters during the spring of 1992, and

WHEREAS, the Wildlife and Fisheries Commission has received public testimony relative to this biological and technical data as well as other factors relative to the 1992 spring inshore shrimp season, now

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does

hereby:

1. Set the 1992 spring inshore shrimp season to open as follows:

- a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the Louisiana/Mississippi state line to South Pass of the Mississippi River at 6:00 a.m. on June 1, 1992, and
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:945, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island at 6:00 a.m. on May 18, 1992, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on June 1, 1992.
2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to set special white shrimp seasons, to change the opening date or close the 1992 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.

James H. Jenkins, Jr.
Chairman

Joe L. Herring
Secretary

(The full text of the emergency declaration is made a part of the record)

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, R.S. 49:967 and R.S. 56:497 the Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

The Wildlife and Fisheries Commission does hereby:

1. Set the 1992 spring inshore shrimp season to open as follows:

- a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the Louisiana/Mississippi state line to South Pass of the Mississippi River at 6:00 a.m. on June 1, 1992, and
- b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:945, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island at 6:00 a.m. on May 18, 1992, and
- c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on June 1, 1992.

The Commission finds that shrimp in these zones are projected to be of legal size count and will meet the management criteria by the opening dates of the season.

James H. Jenkins, Jr.
Chairman

Mr. Robert Helm presented a Resolution/Notice of Intent to Establish Regulations for Waterfowl Tower Shooting. As duck hunting regulations have become more restrictive and hunting success has fallen off, some groups have attempted to use pen-reared birds to supplement the wild duck hunting. Two methods have been used, to date, in the United States. One is direct releases of pen-reared free-flighted birds into natural wetlands. These birds can then be harvested during the regular duck season without regard to daily bag limit. The U.S. Fish and Wildlife Service, responsible for regulating this type of activity, will most likely discontinue to permit this type of operation because of repeated conflicts with live decoying regulations and baiting regulations. These regulations are being reviewed now and it is anticipated that the Federal government will change them in the next fiscal year. The second method has been the use of tower shoots or controlled shoots. Birds are released in a controlled fashion from an elevated tower and they proceed to fly out over hunters positioned between a release site and a pond. Twenty percent of the birds released in this fashion are not accounted for. The department has consistently been opposed to the direct releases as well as the tower shoots when they are near wetland habitats. The primary reason for this position is the potential transfer of disease to wild populations resulting from wild birds mixing with the pen-reared birds. The proposed regulations are designed to prevent this sort of thing. The department does not oppose tower shoots

in geographic areas or habitat types where the potential for interreaction with wild birds is minimal. The licensing of these preserves using mallards has been consistent with this position to date. There have been eight requests for shooting preserves and five have been denied because they were in wetland habitats. The department could basically see the rush into this type of activity and recognized the need for more specific regulations and guidelines. The proposed rule is basically the same as the unwritten policy that the department has been practicing these last few years. Mr. Helm read the "Therefore Be It Resolved" portion of the resolution.

Chairman Jenkins called for a motion for adoption. A motion was made by Commissioner Jones for adoption of the resolution/notice of intent. Commissioner Pol seconded the motion.

Chairman Jenkins called for discussion from the Commission. Mr. Jones asked about the eight applicants with five being declined and if there were three in existence. Mr. Helm answered there were three that have been licensed to date and are towered or controlled. Mr. Schneider asked if this was being done in a lot of other states. Mr. Helm answered that it is and pointed out that Maryland has released 1.2 million domestic mallards in the natural wetlands of Chesapeake Bay in the last eight years. This is the type of activity that the department wants to avoid and is not authorized through this rule.

Chairman Jenkins called for comments from the public. There being none, Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the resolution
is made a part of the record)

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

WHEREAS, authority to establish requirements for Hunting Preserves is vested with the Louisiana Wildlife and Fisheries Commission in accordance with R.S. 56:651, and

WHEREAS, wild duck hunting regulations have become very restrictive and correspondingly, requests for Hunting Preserves using mallards have increased dramatically the past 2 years, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has health concerns related to interaction of released mallards and pheasants with wild waterfowl and wild turkeys, respectively, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has additional enforcement concerns regarding mallard releases into the wild, and

WHEREAS, the existing regulations governing Hunting Preserves are inadequate to protect wildlife resources, particularly waterfowl and wild turkeys, now

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take and all necessary steps on behalf of the Commission to promulgate the effectuate this Notice of Intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

James H. Jenkins, Jr.
Chairman

Joe L. Herring
Secretary

(The full text of the Notice of
Intent is made a part of the record)

NOTICE OF INTENT

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Department of Wildlife and Fisheries and Wildlife and Fisheries Commission does hereby give notice of its intent to adopt a rule governing hunting preserves.

Title 76

Part V. Wild Quadrupeds and Wild Bird

Chapter 3. Wild Birds

Section 317. Hunting Preserve Regulations

As provided by R.S. 56:651, the Department may issue a license to operate Hunting Preserves. Hunting Preserves are to be operated under the following regulations.

A. Application Requirements

1. Application shall be made in writing on forms provided by the Department.

2. Applicant must provide proof of ownership or verification of exclusive hunting rights from the landowner upon the property the Hunting Preserve is to be operated. This is to be returned with the application.

3. The Department may revoke any Hunting Preserve license for failure to comply with any fish or wildlife laws; for reasons relating to disease or public health or for failure to abide by the rules and regulations established for this hunting preserve program.

B. Suitability of Area for Use as a Hunting Preserve.

1. No license for a Hunting Preserve shall be issued until an on-site investigation has been completed by the Department and the Department has determined that the property is suitable for the purpose of the proposed Hunting Preserve. The Department shall base its determination on whether or not the proposed shooting area will cause conflicts with wild migratory game bird hunting, or be in violation of state and federal regulations concerning the feeding of migratory waterfowl or the use of live decoys, that the establishment of the shooting area will be in the public interest, and that the operation of a Hunting Preserve at the location specified in the application will not have a detrimental effect upon wild migratory or resident game birds.

2. No license shall be issued for any Hunting Preserve situated on a marsh, lake, river or any other place where there are concentrations of wild waterfowl or if its operations are likely to result in attracting such concentrations of wild waterfowl.

3. No Hunting Preserve using mallards shall be located within 5 miles of any wildlife area with significant waterfowl concentration owned or leased by the state or federal government or by non-profit conservation organizations.

4. Licenses for Hunting Preserves using mallards will not be issued in the coastal zone, defined as that area south of I-10 from the Texas state line to Baton Rouge, south of I-12 from Baton Rouge to Slidell and south of I-10 from Slidell to the Mississippi State line.

5. No license shall be issued for the use of pheasants on any Hunting Preserve situated within areas with medium to high turkey populations. In areas with low turkey populations and low potential for expansion pheasants may be used. This determination will be made at the local level by a Department biologist in

consultation with the turkey study leader. Agricultural areas contiguous to occupied turkey habitat may use pheasants if the preserve boundaries are at least 1/2 mile from the nearest woodland.

C. Types of Releases Allowed

1. The use of mallards on Hunting Preserves is limited to those operations whereby domestic mallards are released in a controlled fashion to proceed over positioned shooters in their flight path. No direct releases of any species of domesticated waterfowl into the wild for any sporting purposes or for any reasons are permitted within the state.

2. Quail may be released after September 1 on Hunting Preserves for the purpose of providing coveys for hunting. Pheasants and chukars may not be released on Hunting Preserves more than 1 day prior to a scheduled hunt. No direct releases of domesticated game birds, including but not limited to quail, pheasants and chukars, into the wild for purpose of population establishment are permitted within the state.

D. Inspection of Permitted Areas and Domesticated Game Birds

1. Applicant must provide proof that the birds to be released originated from a source flock participating in the National Poultry Improvement Plan (NPIP) within (365) three hundred sixty five days prior to release and have not been in contact with birds from non-NPIP sources.

2. The premises of game bird production facilities and/or holding pens may be inspected by the Department or by a designated agent for assessment of health of birds and sanitation of facilities. General pen requirements must conform to those adopted by the Louisiana Wildlife and Fisheries Commission for game breeders.

3. Accurate records of animal husbandry and mortality must be maintained at production/holding facilities and will be subject to periodic inspection by the Department.

4. Every person who brings or causes to be brought into this state live domestically reared game birds for shooting purposes must comply with Livestock Sanitary Board regulations on livestock, poultry, and wild animals (R.S. 7:11705 and 11789). A copy of the health certificate must also be forwarded to the Department of Wildlife and Fisheries for each shipment of birds. Any shipment of birds not accompanied by a health certificate shall be destroyed or returned to the place of origin by the importer at his sole cost and responsibility.

E. Hunting Licenses Requirements

1. A basic hunting license or Hunting Preserve license is required of all persons hunting on Hunting Preserves. In addition, a state duck stamp is required as provided by law of all persons taking mallards on any hunting preserves.

F. Season Dates

1. The season during which shooting will be permitted shall be set by the Louisiana Wildlife and Fisheries Commission. The current season is fixed for the period of October 1 through April 30.

G. Shooting Hours

1. Shooting hours for Hunting Preserves shall be set by the Louisiana Wildlife and Fisheries Commission. The current hours are one-half hour before sunrise to sunset.

H. Methods of Take

1. Shotguns 10 gauge or smaller using steel or lead shot incapable of holding more than three shells in the magazine and chamber combined;

2. Muzzle-loading shotguns;

3. Falconry;

4. Archery equipment.

I. Existing state laws R.S. 56:651-659 and federal law 50 CFR 21:13 address bird banding, bird identification, bird transportation, reports and records and other issues. Compliance with these state and federal laws are mandatory.

J. Changes in Rules

1. The Louisiana Wildlife and Fisheries Commission and the U.S. Fish and Wildlife Service may from time to time make changes in these rules and it is the responsibility of the licensee to apprise himself of any changes and to abide by them.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:651, 56:652, 56:653, 56:654, 56:655, 56:656, 56:657, 56:658, and 56:659.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 18: (1992).

Interested persons may submit written comments of the proposed rule to Robert Helm, Waterfowl Biologist, Game Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, July 15, 1992.

James H. Jenkins, Jr.
Chairman

The Ratification of the Amended Seismic Rules was brought before the Commission by Ms. Karen Foote. Ms. Foote commented that this is a promulgation of the notice of intent that was published in December of 1991 in the State Register. The difference between what was published and what is now before the Commission is the 3D Airgun rates which have decreased.

Commissioner Vujnovich asked about the \$100 per drill shot and thought this rule was for airguns only. Ms. Foote explained in order to promulgate the rule the whole paragraph needed to be included and that the drill shot point at \$100 is already in the rule. The whole paragraph needs to be published again and the new part added at the bottom.

Chairman Jenkins called for a motion for adoption of the rule. A motion was made by Commissioner Schneider and seconded by Commissioner Mialjevich. Chairman Jenkins called for questions from the Commission. There being none, discussion from the audience was called for. There being none Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the rule is made
made a part of the record)

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

The Louisiana Wildlife and Fisheries Commission does hereby adopt the amended rules pertaining to seismic operations and the use of airgun surveys on designated red lined oyster grounds belonging to the state.

TITLE 76
WILDLIFE AND FISHERIES
PART I. WILDLIFE AND FISHERIES COMMISSION AND
AGENCIES THEREUNDER

Chapter 3. Special Powers and Duties
Subchapter A. Seismic Exploration
301. Regulation

* * *

AG. Seismic operators making application to work on any designated red lined oyster seed ground belonging to the state of Louisiana will be required to pay the following fees in addition to the supervisory fees: \$100 per drilled shot hole or \$1000 per linear mile, whichever is greater, for reflective or refractive cable. For airguns only, the following fees apply: \$1000 per linear mile in water depths less than or equal to five feet;

\$ 400 per linear mile in water depths greater than five feet and less than or equal to 10 feet deep; \$ 200 per linear mile in water depths greater than 10 feet; OR, for 3-D airgun surveys: \$12,500 per square mile in water depths less than or equal to five feet; \$ 5,000 per square mile in water depths greater than five feet and less than or equal to 10 feet deep; \$ 2,500 per square mile in water depths greater than 10 feet.

All of these fees are to be paid in advance. All fees will be reviewed each January.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:214 and R.S. 36: 609.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 4:300 (August 1978), amended LR 10:410 (May 1984), amended LR 13:115 (February 1987), amended LR 18: (May 1992).

James H. Jenkins, Jr.
Chairman

Commissioner Bert Jones called for a discussion on the Habitat Conservation Division. Commissioner Jones commented that a lot has happened since he placed this item on the agenda but that his concerns were still there. Commissioner Jones pointed out that he and the other Commissioners were totally unaware of any discussion to transfer the Habitat Conservation Division to the Department of Culture, Recreation and Tourism where it would be absorbed into an archeological program and asked Secretary Herring to brief him on this matter.

Secretary Herring commented on the circumstances that took place on the proposed transfer of the Habitat Conservation Division to the Culture Recreation and Tourism Department, State Parks. The proposal first surfaced during budget meetings with the Division of Administration. This transfer was discussed to Secretary Mark Hilzim but since the Division of Administration would not transfer monies from the general fund from the Department of Wildlife and Fisheries to the Department of Culture, Recreation and Tourism this proposal has been dropped.

Further discussion ensued between Secretary Herring and Commissioner Jones on this issue on the monies to run the program, where the program was going from here, etc. Secretary Herring commented that, as it looks now, the program will probably be handled in the department and put under the supervision of the Game Division. Commissioner Jones stated that he feels like the Habitat Conservation Division is a very important part of the department;

that it should be maintained within the department; and he encouraged Secretary Herring to do this.

The Redfish Report was brought before the Commission by Commissioner Schneider. Commissioner Schneider stated that the Commission was requested to go before the House Natural Resources Committee last week and undergo criticism about the Redfish report. The criticism took Commissioner Schneider by surprise. He was under the impression that the Commission was supposed to make a report by the first of March (by law) and thought this requirement had been complied with. Commissioner Schneider asked for an explanation on this situation and what had happened.

Chairman Jenkins gave a brief report on this situation. He was notified to appear before the Natural Resources Committee on Thursday and discuss the Redfish Report. Chairman Jenkins notified the Chairman of the committee, via his secretary, that he was supposed to be in New Orleans at a National Marine Fisheries meeting and would appreciate it if they could just answer questions and not have to be there at that particular time. Chairman Jenkins left his home phone number if this was not satisfactory so that he could be called at night. There was no further word so he went to New Orleans the next day. The next day he called the Committee Chairman's office to double check and left the meeting location in New Orleans with the secretary. The Committee Chairman called and suggested that Chairman Jenkins and as many Commission members as possible attend the meeting to discuss the Redfish Report. Chairman Jenkins cancelled his National Marine Fisheries meeting, got together the Commission members that could attend the hearing and appeared before the committee. This report was due, by law that went into effect last year, on March 1, 1992. Approximately a week prior, Chairman Jenkins made an inquiry to the Secretary of the department to see if they had information or input available for the report. The Secretary informed Chairman Jenkins that he did not know anything about it but would check on it. By Friday Chairman Jenkins had not received word from the department so he called Dr. Richard Condry at LSU, in charge of the offshore stock assessment on redfish, and Dr. Jerry Clark, former Assistant Secretary, Office of Fisheries. A report was put together, reviewed by the Commissioners and all approved except Commissioner Mialjevich whom they could not get ahold of. The report was hand delivered and was received by March 1. Three weeks later Chairman Jenkins was in the Wildlife and Fisheries Building on Quail Drive when a staff member stated that the department had the Redfish Report ready. The staff member was informed that the Commissioners had sent the report in and was advised that if anybody wanted to see the department's report to let them see it as it was public information. Both reports made the same conclusion which was additional harvest of redfish could not be taken. Chairman Jenkins asked if somebody from the department would tell them why the department's report was not on time.

Mr. John Roussel stated that he could offer some information on this situation as he was actively involved in overseeing the preparation of the report. A portion of the staff was under the impression that the report was due from the department because the original instrument filed by the Legislator did not reference the Commission. Somewhere in the legislative process it was changed to Commission. Irregardless, the report needed to be produced and the decision was made at the time to begin developing the report in late February because LSU's most recent information on the offshore age structure which is collected by Dr. Chuck Wilson was not available but would be available in the coming weeks. Also, the data from the Marine Recreational Survey was not available. This information was received by February 11th. The analysis of the data was identical to what the department completed last year in the management plan, simply new data interjected into the same analysis. The analysis was completed on the 21st of February. The actual narrative portion began to be drafted at this point in time; first draft was completed on March 2nd; final draft was completed on March 13th, at which time a transmittal letter was prepared from Secretary Herring's signature to the Commissioners transmitting the report.

Chairman Jenkins stated that if there is going to be criticism the Commission and department will receive it together.

A motion was made by Commissioner Schneider that policy for the Commission and department pertaining to reports will be that they be submitted on time. The motion was seconded by Commissioner Jones. Chairman Jenkins called for comments.

Commissioner Mialjevich suggested that if there is going to be a set rule to make a report on a certain date that an extension should be requested so that the information is current and correct. If there is an understanding such as this Commissioner Mialjevich stated that he would fully agree with the motion.

Chairman Jenkins pointed out that a report can be made timely and it could say that the information is not available to make a good report and will be made when available.

Commissioner Jones questioned Mr. Roussel about the reports and the dates the information was received. Commissioner Schneider stated that he thinks the Commissioners should be notified of the working process and does not think they should have to chase people down looking for it.

Commissioner Schneider further stated that he would accept Commissioner Mialjevich's amendment to his motion. Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

At this time during the meeting Public Comments on the 1992-93 Hunting Seasons were addressed. Mr. Hugh Bateman, Administrator, Game Division, advised the Commissioners that the department has received a number of public comments both in the form of letters and phone calls. A written report will be provided to the Commissioners at the June Commission meeting which will give them a month to look at what has transpired. Action can be taken for ratification of the seasons at the July Commission meeting and at that particular time the staff will make some additional recommendations to the Commission on some minor changes in the original notice.

Commissioner Schneider asked about the turkey season. Mr. Bateman advised that most of the areas that information was collected from were consistent and there was not much production last year. There was a shortage of young birds in the field. This was not exactly the case in every area but was consistent throughout the state and in southwest Mississippi according to reports. If the current weather situation continues for the next four weeks a bumper crop of young birds should be produced, advised Mr. Bateman.

Chairman Jones asked if there have been a number of diseased birds in Louisiana. He has heard that this has happened in Mississippi. Mr. Bateman commented that there has not; there were a couple of birds turned in during the late winter and one was a confirmed pneumonia type situation, which is not uncommon, and the other was a blackhead, which is not uncommon. The department has received no overwhelming reports on diseased birds, advised Mr. Bateman.

Commissioner Pol asked if the turkey hunting was better in New Mexico than Louisiana. Mr. Bateman answered it depends on who you talk to and how good a shape they are in.

Mr. Fred Prejean gave an Update on Civil Restitutions. Mr. Prejean reported that specific steps have been taken to advise people of the citations which have been issued and the process of the actual collection of dollars. Last month it was announced that some \$7,000 was collected and an additional \$4,500 has been collected since that time. The salary of the person involved in the civil restitution funds has been paid for a twelve month period within the two months collections. The program is successful to the extent that it is paying the salary of the individual involved, however, it was pointed out by Mr. Prejean that the program was intended to defer people from committing the infractions as opposed to an actual fund raising/revenue raising activity. The attorney that is to be utilized in the event that an actual civil suit is to be made has been selected. Mr. Prejean pointed out that it was the coming together of all people/sections involved to form a committee and attack the program in a democratic fashion that has brought the department to the point where the program is working. Mr. Prejean inquired of the Commissioners if they still wanted this report to be given on a monthly basis as the program is turning out to be just another one of the division's activities. Mr. Jones

believes that this has generated a little more interest since it has been on the agenda every month and would like to see it stay on the agenda and be kept in front of the public.

At this point during the meeting, Mr. Glenn Goucheaux, Hessmer, LA, Avoyelles Wildlife Federation, addressed the Commission on the 1991-92 hunting season and dog hunting. He does not like the days being cut back and would like the dog days back. Problems with Grassy Lake Wildlife Management Area and hunters.

Mr. Darryl Hunt, Nature Conservancy, addressed the Commission on the Habitat Conservation Division and shares Commissioner Jones' concerns about the division and the various non-game programs. These programs are critical to the future success of the department and the Nature Conservancy would like to see them share the same profile that the Game programs are sharing.

Secretary Herring gave the Secretary's Report to the Commission. The U.S. Department of the Interior through the U.S. Fish and Wildlife Service has been visiting the state and toured facilities that are operated under federal aid such as the Alexandria Environmental Educational Center, Natchitoches Shooting Range, Sherburne Shooting Range, etc.

Mr. Robert Helm, Waterfowl Study Leader, received letters of recognition from the Regional Director, Jim Pullium, pertaining to quotas on wood duck banding.

The South Louisiana Taxidermy Association hosted their annual meeting in Lake Charles and Secretary Herring attended. Each year they have a contest and assign a species to be mounted. Any taxidermist can enter and the specimen that wins is donated to the department. One of the original founders of the contest, Mr. Howard J. Callahan, won this year and the association will probably be getting in touch with Chairman Jenkins to have this put on the agenda for the donation. This year the specimen is a Mourning Dove.

The fish hatchery on Toledo Bend produced approximately twenty two million fingerlings (hybrids and stripers) this year. These will be used for stocking purposes by the department, some will be exchanged to the U.S. Fish and Wildlife Service for Florida Bass and some will be used for research purposes.

Mr. Bob Dennie has notified Secretary Herring that during the month of June the National Touring Exhibit of Award Winning Photographs of Wildlife will be in Baton Rouge and possibly some other points in Louisiana for six weeks.

Staff members have spent much time in the Legislature so far this year pertaining to legislative matters and will probably be spending much more time there until July.

A new piece of land has been purchased in the Tunica Hills and is an addition to other lands that the department has purchased. This land borders the river and is very beautiful. Secretary Herring asked Mr. Robert Love who is in charge of the land acquisition program for the Game Division to give a brief preview of this land.

Mr. Love reported that this was the purchase of the 42nd wildlife management area for the department. This area consists of 2,354 acres for \$847,800 in West Feliciana Parish. It is adjacent to another 590 acres that the Habitat Conservation Section acquired last summer bringing the total to 2,944 acres. The Nature Conservancy has holdings of 413 acres which is centrally located in this block. The area is being proclaimed the Tunica Hills Wildlife Management Area and will be opened to the public for deer, squirrel rabbit, woodcock, and turkey hunting, as well as day hiking, berry picking, picnicking and scenic view. The area is home to a variety and great diversity of species. Many of these species cannot survive in the hotter climates of the state. The area is only about twenty five/thirty miles from Baton Rouge. The area fits the demographic objectives of the department's land acquisition program. At this point during the meeting, Mr. Love recognized some of the people that have been instrumental in the multi-discipline approach to land acquisition.

Commissioner Pol asked what was the status of the new fish hatchery. Secretary Herring advised that the hatchery was left out of the Capital Outlay when the last administration submitted the budget. The report that was received recommended that the best place to put the new hatchery was at the existing hatchery at Alexandria. The department has contacted Senator Joe McPherson and when the Capital Outlay comes to the Senate he will amend it and put the hatchery back into the budget at that time. The full amount of six million dollars will be requested.

The Monthly Law Enforcement for April was given by Colonel Winton Vidrine. The following citations were issued for the month of April 1992.

Colonel Vidrine informed Commissioner Jones that the redfish case is scheduled to go to court within the next two weeks and hopefully this time there will be an interpreter present in the court. A report will be given next month as to the outcome of the case.

Region I - Minden - 140 cases.

Region II - Monroe - 169 cases.

Region III - Alexandria - 210 cases.

Region IV - Ferriday - 123 cases.

Region V - Lake Charles - 233 cases.

Region VI - Opelousas - 317 cases.

Region VII - Baton Rouge - 492 cases.

Region VIII - New Orleans - 275 cases.

Region IX - Thibodaux - 307 cases.

The offshore boats had a total of 44 cases. The Oyster Strike Force issued a total of 25 citations.

The grand total of citations issued statewide for the month of April was 2,205 cases.

Commissioner Schneider asked about a case in St. John's Parish where a judge said you had to have probable cause to inspect the boat. Colonel Vidrine advised that he was not sure what parish but something did come in last week on this and a copy of that particular hearing was turned over to the Legal Section. Mr. Mike Landrum, Legal Counsel, commented that this was the McHugh case, a criminal case, and came out of St. Mary. The First Circuit did decide essentially as Commissioner Schneider said and the District Attorney who is handling the case has asked for a rehearing. It is believed that the case will end up in the Supreme Court. There is some confusion at the Supreme Court level as to the absolute authority of our wildlife agents.

The Date for the August Commission was set. The date was set for August 7, 1992, and will be held at the Baton Rouge office in the Louisiana Room.


Public Comments were called for. There were no comments from the public but Secretary Herring made a comment.

Secretary Herring stated that sometimes things come up and extended to the Commissioners an invitation to meet with the staff and discuss things that are going on. Chairman Jenkins said that this would be fine but they have got to be aware of the open meeting law and if it could be done within the perimeters of the law it would be fine.

Commissioner Jones asked for a full legislative update at the next Commission meeting. Commissioner Mialjevich suggested that the Commission and department meet and have a legislative bill review meeting aside from a Commission meeting. A short discussion on the Commission receiving legislative information took place.

There being no other business to be brought before the Commission, Chairman Jenkins called for a motion for Adjournment. Commissioner Mialjevich made a motion to adjourn the May 7, 1992 Commission

meeting. The motion was seconded by Commissioner Vujnovich and passed unanimously.



Joe L. Herring
Secretary

JLH:sb

MINUTES OF THE MEETING
OF

DRAFT
Not in Final Form

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

May 7, 1992

Chairman James H. Jenkins, Jr. presiding.

Thursday May 7, 1992

Bert Jones
Tee John Mialjevich
Warren Pol
Jeff Schneider
Pete Vujnovich

Commissioner Norman McCall, Vice Chairman, was absent from the meeting.

Secretary Joe L. Herring was also present.

Chairman Jenkins called for a motion for approval of the April 2, 1992, **Commission Minutes**. A motion for approval was made by Commissioner Mialjevich and seconded by Commissioner Vujnovich. The motion passed unanimously.

Major Brad Smith announced that the **Safari Club International Agent of the Year Award** is being awarded to Mrs. Karen Aycock, wife of deceased Agent Ken Aycock who lost his life in July of last year, and his father Mr. Don Aycock. Major Smith recognized Mrs. Karen Aycock and Mr. Don Aycock, Ken's father. Mr. Bill Simmons of the Safari Club and gave a brief history of Shikar Safari Club International. The club makes an award to a meritorious officer in each of the fifty states and all of the canadian provinces once a year. Mr. Simmons, at this time during the meeting, introduced Colonel Stu Rosse, Command Pilot of Apollo 14 ~~that went to the moon~~ *the moon flight.* Colonel Rosse said a few words about wildlife, the outdoors and what it has meant to him in his life and the lives of his children. At this point in the meeting the award was presented to Mrs. Aycock and Mr. Aycock.

Commissioner Tee John Mialjevich brought up the **Crab Trap Issue**. Commissioner Mialjevich commented that a clarification is needed of how the wildlife and fisheries department is going to enforce the crab trap possession regulation when they are caught in trawls *and* put on the deck, what is a derelict, etc. A concise understanding is needed on what is going to be allowable and not allowable. Commissioner Milajevich asked Enforcement Division to enlighten the Commission and public on this.

Colonel Vidrine informed Commissioner Milajevich that the way it is enforced now is, as his people are patrolling and come upon a

d shrimp vessel that has five or ten crab traps that are legally tagged with buoys, they are presumably in violation. If a vessel is out trawling and picks up an old trap that is not tagged, etc. it is recommended that they take it on board, mash it down and dispose of it back on land in the proper manner. The department has to be reasonable in what they do and if a shrimper picks up a legal crab trap, puts it on board the boat and then throws it back in the water after they are finished trawling in that area, the department will not cite them for this type of violation. If a shrimper does have five or ten legal crab traps on his boat he needs to be charged.

Commissioner Mialjevich asked what should be done if a shrimper is running at night and catches a crab trap in his trawl whose rope has been cut and the float is gone; this is not a derelict trap nor is it an old trap. Is there some kind of way the shrimper can convey to the agent what happened.

Colonel Vidrine commented that they would not have any problem with one trap but with a dozen they would.

Chairman Jenkins asked if anyone in the audience had anything to say on this issue.

Mr. Bill Dekemel, President, East Bank Commercial Fishermen's Association, requested that the Enforcement Division put something in writing that can be distributed throughout the trade organizations to the shrimpers on this issue and explained several scenarios of the crab trap problem. The shrimpers cannot continue to deal with the opinion of the officer on duty at the time. It is going to have to be black and white.

Colonel Vidrine pointed out that the officer has to prove intent to violate the law and that the Commission and Secretary sets the policies for the department. Enforcement Division enforces the policies. Enforcement can meet with the Commission and set some sort of policy.

Commissioner Mialjevich suggested that the Shrimp Task Force make a recommendation for the next Commission meeting. Chairman Jenkins agreed that this would be the best thing to do.

The Resolution/Emergency Declaration on Setting the Spring Inshore Shrimp Season was discussed and acted upon at the shrimp hearing which preceded the Commission meeting Chairman Jenkins announced, but that another vote should be taken on this at the Commission meeting and recognized Commissioner Schneider on the resolution.

Commissioner Schneider read for the record the "Therefore Be It Resolved" portion of the resolution and made a motion that the 1992 Spring Inshore Shrimp Season opens as follows. Zone 1 will open June 1, 1992 at 6 a.m.; Zone II will open May 18, 1992 at 6 a.m.; and Zone 3 will open June 1, 1992 at 6 a.m.; the Secretary of the department will have the authority to set special white shrimp

seasons; change the opening date or close the 1992 spring inshore shrimp season in any area or zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so. The motion for adoption of the resolution/declaration of emergency on the shrimp seasons was seconded by Commissioner Mialjevich and passed unanimously.

(The full text of the resolution
is made a part of the record)

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

MAY 7, 1992

Adopted by the Wildlife and Fisheries Commission at its regular meeting on May 7, 1992 in New Orleans, Louisiana, relative to the 1992 spring inshore shrimp season.

WHEREAS, R.S. 56:497 provides that the Wildlife and Fisheries Commission shall fix no less than two open shrimp seasons each year for all inside waters, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be opened by Zone, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be based upon biological and technical data, and

WHEREAS, the Wildlife and Fisheries Commission has reviewed in public hearing the biological and technical data presented by the Department of Wildlife and Fisheries on shrimp populations and environmental conditions present in Louisiana's coastal waters during the spring of 1992, and

WHEREAS, the Wildlife and Fisheries Commission has received public testimony relative to this biological and technical data as well as other factors relative to the 1992 spring inshore shrimp season, now

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does

hereby:

1. Set the 1992 spring inshore shrimp season to open as follows:

- a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the Louisiana/Mississippi state line to South Pass of

the Mississippi River at 6:00 a.m. on June 1, 1992,
and

- b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:945, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island at 6:00 a.m. on May 18, 1992, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on June 1, 1992.
2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to set special white shrimp seasons, to change the opening date or close the 1992 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.

James H. Jenkins, Jr.
Chairman

Joe L. Herring
Secretary

(The full text of the emergency
declaration is made a part of the
record)

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, R.S. 49:967 and R.S. 56:497 the Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

The Wildlife and Fisheries Commission does hereby:

- 1. Set the 1992 spring inshore shrimp season to open as follows:
 - a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the Louisiana/Mississippi state line to South Pass of the Mississippi River at 6:00 a.m. on June 1, 1992, and

waters, as described in R.S. 56:945, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island at 6:00 a.m. on May 18, 1992, and

- c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on June 1, 1992.

The Commission finds that shrimp in these zones are projected to be of legal size count and will meet the management criteria by the opening dates of the season.

James H. Jenkins, Jr.
Chairman

Jacks Mr. Robert Helm presented a **Resolution/Notice of Intent to Establish Regulations for Waterfowl Tower Shooting**. As duck hunting regulations have become more restrictive and hunting success has fallen off, some groups have attempted to use pen-reared to supplement the wild duck hunting. Two methods have been used, to date, in the United States. One is direct releases of pen-reared free-flighted birds into natural wetlands. These birds can then be harvested during the regular duck season without regard to daily bag limit. The U.S. Fish and Wildlife Service, who is responsible for regulating this type of activity, will most likely discontinue to permit this type of operation because of repeated conflicts with live decoying regulations and baiting regulations. These regulations are being reviewed now and it is anticipated that the Federal government will change them in the next fiscal year. The second method has been the use of tower shoots or controlled shoots. These birds are released in a controlled fashion from an elevated tower and they proceed to fly out over hunters that are positioned between a release site and a pond. Twenty percent of the birds released in this fashion are not accounted for. The department has consistently been opposed to the direct releases as well as the tower shoots when they are near wetland habitats. The primary reason for this position is the potential transfer of disease to wild populations resulting from wild birds mixing with the pen-reared birds. The proposed regulations are designed to prevent this sort of thing. The department does not oppose tower shoots in geographic areas or habitat types where the potential for interreaction with wild birds is minimal. The licensing of these preserves using mallards has been consistent with this position to date. There have been eight requests for shooting preserves and five have been denied because they were in wetland habitats. The department could basically see the rush into this type of activity and recognized the need for more specific regulations and guidelines. The proposed rule is basically the same as the unwritten policy that the department has been practicing these last few years. Mr. Helm read the "Therefore Be It Resolved" portion of the resolution.

HAVE

?? dropped here - "A motion was..."
made by Commissioner Jones for adoption of the resolution/notice of intent. Commissioner Pol seconded the motion.

Chairman Jenkins called for discussion from the Commission. Mr. Jones asked about the eight applicants with five being declined and if there were three in existence. Mr. Helm answered there were three that have been licensed today and are towered or controlled. *To date* Mr. Schneider asked if this was being done in a lot of other states. Mr. Helm answered that it is and pointed out that Maryland has released 1.2 million domestic mallards in the natural wetlands of ~~Maryland~~ Chesapeake Bay in the last eight years. This is the type of activity that the department wants to avoid and is not ~~permitted~~ through this rule.

Permitting
Chairman Jenkins called for comments from the public. There being none, Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the resolution
is made a part of the record)

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

WHEREAS, authority to establish requirements for Hunting Preserves is vested with the Louisiana Wildlife and Fisheries Commission in accordance with R.S. 56:651, and

WHEREAS, wild duck hunting regulations have become very restrictive and correspondingly, requests for Hunting Preserves using mallards have increased dramatically the past 2 years, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has health concerns related to interaction of released mallards and pheasants with wild waterfowl and wild turkeys, respectively, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has additional enforcement concerns regarding mallard releases into the wild, and

WHEREAS, the existing regulations governing Hunting Preserves are inadequate to protect wildlife resources, particularly waterfowl and wild turkeys, now

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take and all necessary steps on behalf of the Commission to promulgate the effectuate this Notice of Intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and

agencies of government.

James H. Jenkins, Jr.
Chairman

Joe L. Herring
Secretary

(The full text of the Notice of
Intent is made a part of the record)

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

The Department of Wildlife and Fisheries and Wildlife and Fisheries Commission does hereby give notice of its intent to adopt a rule governing hunting preserves.

Title 76

Part V. Wild Quadrupeds and Wild Bird

Chapter 3. Wild Birds

Section 317. Hunting Preserve Regulations

As provided by R.S. 56:651, the Department may issue a license to operate Hunting Preserves. Hunting Preserves are to be operated under the following regulations.

A. Application Requirements

1. Application shall be made in writing on forms provided by the Department.

2. Applicant must provide proof of ownership or verification of exclusive hunting rights from the landowner upon the property the Hunting Preserve is to be operated. This is to be returned with the application.

3. The Department may revoke any Hunting Preserve license for failure to comply with any fish or wildlife laws; for reasons relating to disease or public health or for failure to abide by the rules and regulations established for this hunting preserve program.

B. Suitability of Area for Use as a Hunting Preserve

1. No license for a Hunting Preserve shall be issued until an on-site investigation has been completed by the Department and the Department has determined that the property is suitable for the purpose of the proposed Hunting Preserve. The Department shall base its determination on whether or not the proposed shooting area will cause conflicts with wild migratory game bird hunting, or be in

of migratory waterfowl or the use of live decoys, that the establishment of the shooting area will be in the public interest, and that the operation of a Hunting Preserve at the location specified in the application will not have a detrimental effect upon wild migratory or resident game birds.

2. No license shall be issued for any Hunting Preserve situated on a marsh, lake, river or any other place where there are concentrations of wild waterfowl or if its operations are likely to result in attracting such concentrations of wild waterfowl.

3. No Hunting Preserve using mallards shall be located within 5 miles of any wildlife area with significant waterfowl concentration owned or leased by the state or federal government or by non-profit conservation organizations.

4. Licenses for Hunting Preserves using mallards will not be issued in the coastal zone, defined as that area south of I-10 from the Texas state line to Baton Rouge, south of I-12 from Baton Rouge to Slidell and south of I-10 from Slidell to the Mississippi State line.

5. No license shall be issued for the use of pheasants on any Hunting Preserve situated within areas with medium to high turkey populations. In areas with low turkey populations and low potential for expansion pheasants may be used. This determination will be made at the local level by a Department biologist in consultation with the turkey study leader. Agricultural areas contiguous to occupied turkey habitat may use pheasants if the preserve boundaries are at least 1/2 mile from the nearest woodland.

C. Types of Releases Allowed

1. The use of mallards on Hunting Preserves is limited to those operations whereby domestic mallards are released in a controlled fashion to proceed over positioned shooters in their flight path. No direct releases of any species of domesticated waterfowl into the wild for any sporting purposes or for any reasons are permitted within the state.

2. Quail may be released after September 1 on Hunting Preserves for the purpose of providing coveys for hunting. Pheasants and chukars may not be released on Hunting Preserves more than 1 day prior to a scheduled hunt. No direct releases of domesticated game birds, including but not limited to quail, pheasants and chukars, into the wild for purpose of population establishment are permitted within the state.

D. Inspection of Permitted Areas and Domesticated Game Birds

1. Applicant must provide proof that the birds to be released originated from a source flock participating in the National Poultry Improvement Plan (NPPI) within (365) three hundred sixty five days prior to release and have not been in contact with birds from non-NPIP sources.

2. The premises of game bird production facilities and/or holding pens may be inspected by the Department or by a designated agent for assessment of health of birds and sanitation of facilities. General pen requirements must conform to those adopted by the Louisiana Wildlife and Fisheries Commission for game breeders.

3. Accurate records of animal husbandry and mortality must be maintained at production/holding facilities and will be subject to periodic inspection by the Department.

4. Every person who brings or causes to be brought into this state live domestically reared game birds for shooting purposes must comply with Livestock Sanitary Board regulations on livestock, poultry, and wild animals (R.S. 7:11705 and 11789). A copy of the health certificate must also be forwarded to the Department of Wildlife and Fisheries for each shipment of birds. Any shipment of birds not accompanied by a health certificate shall be destroyed or returned to the place of origin by the importer at his sole cost and responsibility.

E. Hunting Licenses Requirements

1. A basic hunting license or Hunting Preserve license is required of all persons hunting on Hunting Preserves. In addition, a state duck stamp is required as provided by law of all persons taking mallards on any hunting preserves.

F. Season Dates

1. The season during which shooting will be permitted shall be set by the Louisiana Wildlife and Fisheries Commission. The current season is fixed for the period of October 1 through April 30.

G. Shooting Hours

1. Shooting hours for Hunting Preserves shall be set by the Louisiana Wildlife and Fisheries Commission. The current hours are one-half hour before sunrise to sunset.

H. Methods of Take

1. Shotguns 10 gauge or smaller using steel or lead shot incapable of holding more than three shells in the magazine and chamber combined;

2. Muzzle-loading shotguns;

3. Falconry;

4. Archery equipment.

I. Existing state laws R.S. 56:651-659 and federal law 50 CFR 21:13 address bird banding, bird identification, bird transportation, reports and records and other issues. Compliance with these state and federal laws are mandatory.

1. The Louisiana Wildlife and Fisheries Commission and the U.S. Fish and Wildlife Service may from time to time make changes in these rules and it is the responsibility of the licensee to apprise himself of any changes and to abide by them.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:651, 56:652, 56:653, 56:654, 56:655, 56:656, 56:657, 56:658, and 56:659.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 18: (1992).

Interested persons may submit written comments of the proposed rule to Robert Helm, Waterfowl Biologist, Game Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, July 15, 1992.

James H. Jenkins, Jr.
Chairman

The **Ratification of the Amended Seismic Rules** was brought before the Commission by Ms. Karen Foote. Ms. Foote commented that this is a promulgation of the notice of intent that was published in December of 1991 in the State Register. The difference between what was published and what is now before the Commission is the 3D Airgun rates which have decreased.

Commissioner Vujnovich asked about the \$100 per drill shot and thought this rule was for airguns only. Ms. Foote explained in order to promulgate the rule the whole paragraph needed to be included and that the drill shot point at \$100 is already in the rule. The whole paragraph needs to be published again and the new part added at the bottom.

Chairman Jenkins called for a motion for adoption of the rule. A motion was made by Commissioner Schneider and seconded by Commissioner Mialjevich. Chairman Jenkins called for questions from the Commission. There being none, discussion from the audience was called for. There being none Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

(The full text of the rule is made
made a part of the record)

RULE
DEPARTMENT OF WILDLIFE AND FISHERIES
WILDLIFE AND FISHERIES COMMISSION

The Louisiana Wildlife and Fisheries Commission does hereby adopt the amended rules pertaining to seismic operations and the use of airgun surveys on designated red lined oyster grounds belonging to the state.

TITLE 76
WILDLIFE AND FISHERIES
PART I. WILDLIFE AND FISHERIES COMMISSION AND
AGENCIES THEREUNDER

Chapter 3. Special Powers and Duties

Subchapter A. Seismic Exploration

301. Regulation

* * *

AG. Seismic operators making application to work on any designated red lined oyster seed ground belonging to the state of Louisiana will be required to pay the following fees in addition to the supervisory fees: \$100 per drilled shot hole or \$1000 per linear mile, whichever is greater, for reflective or refractive cable. For airguns only, the following fees apply: \$1000 per linear mile in water depths less than or equal to five feet; \$ 400 per linear mile in water depths greater than five feet and less than or equal to 10 feet deep; \$ 200 per linear mile in water depths greater than 10 feet; OR, for 3-D airgun surveys: \$12,500 per square mile in water depths less than or equal to five feet; \$ 5,000 per square mile in water depths greater than five feet and less than or equal to 10 feet deep; \$ 2,500 per square mile in water depths greater than 10 feet.

All of these fees are to be paid in advance. All fees will be reviewed each January.

* * *

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:214 and R.S. 36: 609.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 4:300 (August 1978), amended LR 10:410 (May 1984), amended LR 13:115 (February 1987), amended LR 18: (May 1992).

James H. Jenkins, Jr.
Chairman

Commissioner Bert Jones called for a discussion on the **Habitat Conservation Division**. Commissioner Jones commented that a lot has happened since he placed this item on the agenda but that his concerns were still there. Commissioner Jones pointed out that he and the other Commissioners were totally unaware of any discussion to transfer the Habitat Conservation Division to the Department of Culture, Recreation and Tourism where it would be absorbed into an archeological program and asked Secretary Herring to brief him on this matter.

Secretary Herring commented on the circumstances that took place on the proposed transfer of the Habitat Conservation Division to the Culture Recreation and Tourism Department, State Parks. The proposal first surfaced during budget meetings with the Division

Discussed with
OF Administration. This transfer was ~~proposed to~~ Secretary Mark Hilzlim but since the Division of Administration would not transfer monies from the general fund from the Department of Wildlife and Fisheries to the Department of Culture, Recreation and Tourism this proposal has been dropped.

Further discussion ensued between *here* Secretary Herring and Commissioner Jones on this issue on the monies to run the program, where the program was going from *her*, etc. Secretary Herring commented that, as it looks now, the program will probably be handled in the department and put under the supervision of the Game Division. Commissioner Jones stated that he feels like the Habitat Conservation Division is a very important part of the department; that it should be maintained within the department; and he encouraged Secretary Herring to do this.

The Redfish Report was brought before the Commission by Commissioner Schneider. Commissioner Schneider stated that the Commission was requested to go before the House Natural Resources Committee last week and undergo criticism about the Redfish report. The criticism took Commissioner Schneider by surprise. *He was* under the impression that the Commission was supposed to make a report by the first of March (by law) and thought this requirement had been complied with. Commissioner Schneider asked for a explanation on this situation and what had happened.

d Chairman Jenkins gave a brief report on this situation. He was notified to appear before the Natural Resources Committee on Thursday and discuss the Redfish Report. Chairman Jenkins notified the Chairman of the committee, via his secretary, that he was suppose to be in New Orleans at a National Marine Fisheries meeting and would appreciate it if they could just answer questions and not have to be there at that particular time. Chairman Jenkins left his home phone number if this was not satisfactory so that he could be called at night. There was no further word so he went to New Orleans the next day. The next day he called the Committee Chairman's office to double check and left the meeting location in New Orleans with the secretary. The Committee Chairman called and suggested that Chairman Jenkins and as many Commission members attend the meeting to discuss the Redfish Report. Chairman Jenkins cancelled his National Marine Fisheries meeting, got together the Commission members that could attend the hearing and appeared before the committee. This report was due, by law that went into effect last year, on March 1, 1992. Approximately a week prior, Chairman Jenkins made an inquiry to the Secretary of the department to see if they had information or input available for the report. The Secretary informed Chairman Jenkins that he did not know anything about it but would check on it. By Friday Chairman Jenkins had not received word from the department so he called Dr. Richard Condry at LSU in charge of the offshore stock assessment on redfish and Dr. Jerry Clark, former Assistant Secretary, Office of Fisheries. A report was put together, reviewed by the Commissioners and all approved except Commissioner Mialjevich whom they could not get a hold of. The report was hand delivered and *as possible*

was received by March 1. Three weeks later Chairman Jenkins was in the Wildlife and Fisheries Building on Quail Drive when a staff member stated that the department had the Redfish report ready. the staff member was informed that the Commissioners had sent the report in and was advised that if anybody wanted to see the department's report to let them see it as it was public information. Both reports made the same conclusion which was additional harvest of redfish could not be taken. Chairman Jenkins asked if somebody from the department would tell them why the department's report was not on time.

Mr. John Roussel stated that he could offer some information on this situation as he was actively involved in overseeing the preparation of the report. A portion of the staff was under the impression that the report was due from the department because the original instrument filed by the Legislator did not reference the Commission. Somewhere in the legislative process it was changed to Commission. Irregardless, the report needed to be produced and the decision was made at the time to begin developing the report in late February because LSU's most recent information on the offshore age structure which is collected by Dr. Chuck Wilson was not available but would be available in the coming weeks. Also, the data from the Marine Recreational Survey was not available. This information was received by February 11th. The analysis of the data was identical to what the department completed last year in the management plan, simply new data interjected into the same analysis. *began* The analysis was completed on the 21st of February. The actual narrative portion *began* to be drafted at this point in time; first draft was completed on March 2nd; final draft was completed on March 13th at which time a transmittal letter was prepared from Secretary Herring's signature to the Commissioners transmitting the report.

Chairman Jenkins stated that if there is going to be criticism the Commission and department will receive it together.

A motion was made by Commissioner Schneider that policy for the Commission and department pertaining to reports *will be* that they be submitted on time. The motion was seconded by Commissioner Jones. Chairman Jenkins called for comments.

Commissioner Mialjevich suggested that *if there is going to be a* set rule to make a report on a certain date *that* an extension should be requested so that the information is current and correct. If there is an understanding such as this Commissioner Mialjevich stated that he would fully agree with the motion.

Chairman Jenkins pointed out that a report can be made timely and it could say that the information is not available to make a good report and will be made when available.

Commissioner Jones questioned Mr. Roussel about the reports and the dates the information was received. Commissioner Schneider stated that he thinks the Commissioners should be notified of the working

process and does not think they should have to chase people down looking for it. ⁶⁵

Commissioner Schneider further stated that he would accept Commissioner Mialjevich amendment to his motion. Chairman Jenkins called for a vote on the motion. The motion passed unanimously.

At this time during the meeting **Public Comments on the 1992-93 Hunting Seasons** were addressed. Mr. Hugh Bateman, Administrator, Game Division, advised the Commissioners that the department has received a number of public comments both in the form of letters and phone calls. A written report will be provided to the Commissioners at the June Commission meeting which will give them a month to look at what has transpired. Action can be taken for ratification of the seasons at the July Commission meeting and at that particular time the staff will make some additional recommendations to the Commission on some minor changes in the original notice.

WORE Commissioner Schneider asked about the turkey season. Mr. Bateman advised that most of the areas that information was collected from ~~was~~ consistent and there was not much production from last year. There was a shortage of young birds in the field. This was not exactly the case in every area but was consistent throughout the state and in southwest Mississippi according to reports. If the current weather situation continues for the next four weeks a bumper crop of young birds should be produced, advised Mr. Bateman. Chairman Jones asked if there have been a number of diseased birds in Louisiana. *there has* He has heard that this has happened in Mississippi. Mr. Bateman commented that ~~they have not~~; there were a couple of birds turned in during the late winter and one was a confirmed pneumonia type situation, which is not uncommon, and the other was a blackhead, which is not uncommon. The department has received no overwhelming reports on diseased birds, advised Mr. Bateman.

Commissioner Pol asked if the turkey hunting was better in New Mexico than Louisiana. Mr. Bateman answered it depends on who you talk to and how good ^A of shape they are in.

Mr. Fred Prejean gave an **Update on Civil Restitutions**. Mr. Prejean reported that specific steps have been taken to advise people of the citations which have been issued and the process of the actual collection of dollars. Last month it was announced that some \$7,000 was collected and an additional \$4,500 has been collected since that time. The salary of the person involved in the civil restitution funds has been paid for a twelve month period within the two months collections. The program is successful to the extent that it is paying the salary of the individual involved, however, it was pointed out by Mr. Prejean that the program was intended to defer people from committing the infractions as opposed to an actual fund raising/revenue raising activity. The attorney that is to be utilized in the event that an actual civil suit is to be made has been selected. Mr. Prejean pointed out that it was the coming together of all people/sections involved to form a

committee and attack the program in a democratic fashion that has brought the department to the point where the program is working. Mr. Prejean inquired of the Commissioners if they still wanted this report to be given on a monthly basis as the program is turning out to be just another one of the division's activities. Mr. Jones believes that this has generated a little more interest since it has been on the agenda every month and would like to see it stay on the agenda and be kept in front of the public.

At this point during the meeting, Mr. Glenn Goucheaux, Hessmer, LA, Avoyelles Wildlife Federation, addressed the Commission on the 1991-92 hunting season and dog hunting. He does not like the days being cut back and would like the dog days back. Problems with Grassy Lake Wildlife Management Area and hunters.

Mr. Darryl Hunt, Nature Conservancy, addressed the Commission on the Habitat Conservation Division and shares Commissioner Jones' concerns about the division and the various non-game programs. These programs are critical to the future success of the department and the Nature Conservancy would like to see them share the same profile that the Game programs are sharing.

Secretary Herring gave the **Secretary's Report** to the Commission. The U.S. Department of the Interior through the U.S. Fish and Wildlife Service has been visiting the state and toured facilities that are operated under federal aid such as the Alexandria Environmental Educational Center, Natchitoches Shooting Range, Sherburne Shooting Range, etc.

5 Mr. Robert Helm, Waterfowl Study Leader, received letters of recognition from the Regional Director, Jim Pullium, pertaining to quota on wood duck banding.

The South Louisiana Taxidermy Association hosted their annual meeting in Lake Charles and Secretary Herring attended. Each year they have a contest and assign a species to be mounted. Any taxidermist can enter and the specimen that wins is donated to the department. One of the original founders of the contest, Mr. Howard J. Callahan, won this year and the association will probably be getting in touch with Chairman Jenkins to have this put on the agenda for the donation. This year the specimen is a Mourning Dove.

The fish hatchery on Toledo Bend produced approximately twenty two million fingerlings (hybrids and stripers) this year. These will be used for stocking purposes by the department, some will be exchanged to the U.S. Fish and Wildlife Service for Florida Bass and some will be used for research purposes.

Mr. Bob Dennie has notified Secretary Herring that during the month of June the National Touring Exhibit of Award Winning Photographs of Wildlife will be in Baton Rouge and possibly some other points in Louisiana for six weeks.

Staff members have spent much time in the Legislature so far this year pertaining to legislative matters and will probably be spending much more time there until July.

A new piece of land has been purchased in the Tunica Hills and is an addition to other lands that the department has purchased. This land borders the river and is very beautiful. Secretary Herring asked Mr. Robert Love who is in charge of the land acquisition program for the Game Division to give a brief preview of this land.

5 Mr. Love reported that this was the purchase of the 42nd wildlife management area for the department. This area consists of 2,354 acres for \$847,800 in West Feliciana Parish. It is adjacent to another 590 acres that the Habitat Conservation Section acquired last summer bringing the total to 2,944 acres. The Nature Conservancy has holding of 413 acres which is centrally located in this block. The area is being proclaimed as the Tunica Hills Wildlife Management Area and will be opened to the public for deer, squirrel rabbit, woodcock, and turkey hunting, as well as day hiking, berry picking, picnicking and scenic view. The area is home to a variety and great diversity of species. Many of these species cannot survive in the hotter climates of the state. The area is only about twenty five/thirty miles from Baton Rouge. The area fits the demographic objectives of the department's land acquisition program. At this point during the meeting, Mr. Love recognized some of the people that have been instrumental in the multi-discipline approach to land acquisition. 6

Commissioner Pol asked what was the status of the new fish hatchery. Secretary Herring advised that the hatchery was left out of the Capital Outlay when the last administration submitted the budget. The report that was received recommended that the best place to put the new hatchery was at the existing hatchery at Alexandria. The department has contacted Senator Joe McPherson and when the Capital Outlay comes to the Senate he will amend it and put the hatchery back into the budget at that time. The full amount of six million will be requested.

Dollars
The **Monthly Law Enforcement** for April was given by Colonel Winton Vidrine. The following citations were issued for the month of April 1992.

Colonel Vidrine informed Commissioner Jones that the redfish case is scheduled to go to court within the next two weeks and hopefully this time there will be an interpreter present in the court. A report will be given next month as to the outcome of the case.

Region I - Minden - 140 cases.

Region II - Monroe - 169 cases.

Region III - Alexandria - 210 cases.

Region IV - Ferriday - 123 cases.

Region V - Lake Charles - 233 cases.

Region VI - Opelousas - 317 cases.

Region VII - Baton Rouge - 492 cases.

Region VIII - New Orleans - 275 cases.

Region IX - Thibodaux - 307 cases.

The offshore boats had a total of 44 cases. The Oyster Strike Force issued a total of 25 citations.

The grand total of citations issued statewide for the month of April was 2,205 cases.

a — Commissioner Schneider asked about a case in St. John's Parish where a judge said you had to have probable cause to inspect the boat. Colonel Vidrine advised that he was not sure what parish but something did come in last week on this and a copy of that particular hearing was turned over to the Legal Section. Mr. Mike Landrum, Legal Counsel, commented that this was the McHugh case, a criminal case, and came out of St. Mary. The First Circuit did decide essentially as Commissioner Schneider said and the District Attorney who is handling the case has asked for a rehearing. It is believed that the case will end up in the Supreme Court. There is some confusion at the Supreme Court level as to the absolute authority of our wildlife agents.

The Date for the August Commission was set. The date was set for August 7, 1992, and will be held at the Baton Rouge office in the Louisiana Room.

Public Comments were called for. There were no comments from the public but Secretary Herring made a comment.

Secretary Herring stated that sometimes things come up and extended to the Commissioners an invitation to meet with the staff and discuss things that are going on. Chairman Jenkins said that this would be fine but they have got to be aware of the open meeting law and if it could be done within the perimeters of the law it would be fine. *Herring stated no decisions would be made meetings would be for information only, public etc involved.*

Commissioner Jones asked for a full legislative update at the next Commission meeting. Commissioner Mialjevich suggested that the Commission and department meet and have a legislative bill review meeting aside from a Commission meeting. A short discussion on the Commission receiving legislative information took place.

There being no other business to be brought before the Commission, Chairman Jenkins called for a motion for Adjournment. Commissioner Mialjevich made a motion to adjourn the May 7, 1992 Commission

meeting. The motion was seconded by Commissioner Vujnovich and passed unanimously.

Joe L. Herring
Secretary

JLH:sb

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
MAY 7, 1992

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission Meeting held in New Orleans, LA, May 7, 1992.

WHEREAS, authority to establish requirements for Hunting Preserves is vested with the Louisiana Wildlife and Fisheries Commission in accordance with R.S. 56:651, and

WHEREAS, wild duck hunting regulations have become very restrictive and correspondingly, requests for Hunting Preserves using mallards have increased dramatically the past 2 years, and


WHEREAS, the Louisiana Department of Wildlife and Fisheries has health concerns related to interaction of released mallards and pheasants with wild waterfowl and wild turkeys, respectively, and


WHEREAS, the Louisiana Department of Wildlife and Fisheries has additional enforcement concerns regarding mallard releases into the wild, and

WHEREAS, the existing regulations governing Hunting Preserves are inadequate to protect wildlife resources, particularly waterfowl and wild turkeys, now

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt these rules and regulations governing Hunting Preserves recommended by the Department and set forth in the attached Notice of Intent, and

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.


James W. Jenkins, Jr.
Chairman


Joe L. Herring
Secretary

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION


MAY 7, 1992

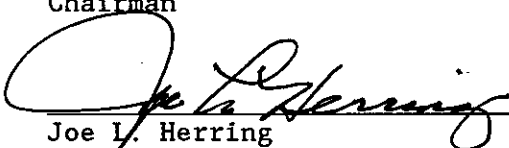
Adopted by the Wildlife and Fisheries Commission at its regular meeting on May 7, 1992 in New Orleans, Louisiana, relative to the 1992 spring inshore shrimp season.

- WHEREAS, R.S. 56:497 provides that the Wildlife and Fisheries Commission shall fix no less than two open shrimp seasons each year for all inside waters, and
- WHEREAS, R.S. 56:497 further states these shrimp seasons shall be opened by Zone, and
- WHEREAS, R.S. 56:497 further states these shrimp seasons shall be based upon biological and technical data, and
- WHEREAS, the Wildlife and Fisheries Commission has reviewed in public hearing the biological and technical data presented by the Department of Wildlife and Fisheries on shrimp populations and environmental conditions present in Louisiana's coastal waters during the spring of 1992, and
- WHEREAS, the Wildlife and Fisheries Commission has received public testimony relative to this biological and technical data as well as other factors relative to the 1992 spring inshore shrimp season, now.

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby:

1. Set the 1992 spring inshore shrimp season to open as follows:
 - a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the Louisiana/Mississippi state line to South Pass of the Mississippi River at 6:00 a.m. on ~~May~~ ^{JUNE} 1, 1992, and
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:945, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island at 6:00 a.m. on May 18, 1992, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on ~~May~~ ^{JUNE} 1, 1992.
2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to set special white shrimp seasons, to change the opening date or close the 1992 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.


Jimmy H. Jenkins, Jr.
Chairman


Joe L. Herring
Secretary

**COMMISSION MEETING
ROLL CALL**

Thursday, May 7, 1992
New Orleans, LA
UNO
Wildlife and Fisheries Building

	Attended	Absent
Jimmy Jenkins (Chairman)	<u>✓</u>	<u> </u>
Bert Jones	<u>✓</u>	<u> </u>
Norman McCall (Vice Chairman)	<u> </u>	<u>✓</u>
Tee John Mialjevich	<u>✓</u>	<u> </u>
Warren Pol	<u>✓</u>	<u> </u>
Jeff Schneider	<u>✓</u>	<u> </u>
Peter Vujnovich	<u>✓</u>	<u> </u>

Mr. Chairman:

There are 6 Commissioners in attendance and we have a quorum.
Secretary Herring is also present.

#4

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

MAY 7, 1992

Adopted by the Wildlife and Fisheries Commission at its regular meeting on May 7, 1992 in New Orleans, Louisiana, relative to the 1992 spring inshore shrimp season.

WHEREAS, R.S. 56:497 provides that the Wildlife and Fisheries Commission shall fix no less than two open shrimp seasons each year for all inside waters, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be opened by Zone, and

WHEREAS, R.S. 56:497 further states these shrimp seasons shall be based upon biological and technical data, and

WHEREAS, the Wildlife and Fisheries Commission has reviewed in public hearing the biological and technical data presented by the Department of Wildlife and Fisheries on shrimp populations and environmental conditions present in Louisiana's coastal waters during the spring of 1992, and

WHEREAS, the Wildlife and Fisheries Commission has received public testimony relative to this biological and technical data as well as other factors relative to the 1992 spring inshore shrimp season, now.

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby:

1. Set the 1992 spring inshore shrimp season to open as follows:
 - a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the Louisiana/Mississippi state line to South Pass of the Mississippi River at 6:00 a.m. on May __, 1992, and
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:945, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island at 6:00 a.m. on May __, 1992, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on May __, 1992.
2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to set special white shrimp seasons, to change the opening date or close the 1992 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.

Jimmy H. Jenkins, Jr.
Chairman

Joe L. Herring
Secretary

DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, R.S. 49:967 and R.S. 56:497 the Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

The Wildlife and Fisheries Commission does hereby:

1. Set the 1992 spring inshore shrimp season to open as follows:
 - a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the Louisiana/Mississippi state line to South Pass of the Mississippi River at 6:00 a.m. on May ____, 1992, and
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:945, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island at 6:00 a.m. on May ____, 1992, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on May ____, 1992.

The Commission finds that shrimp in these zones are projected to be of legal size count and will meet the management criteria by the opening dates of the season.

James H. Jenkins, Jr.
Chairman

RESOLUTION
LOUISIANA WILDLIFE AND FISHERIES COMMISSION
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES
MAY 7, 1992

The following was adopted by the Louisiana Wildlife and Fisheries Commission at its regular Commission Meeting held in New Orleans, LA. May 7, 1992.

WHEREAS, authority to establish requirements for Hunting Preserves is vested with the Louisiana Wildlife and Fisheries Commission in accordance with R.S. 56:651, and

WHEREAS, wild duck hunting regulations have become very restrictive and correspondingly, requests for Hunting Preserves using mallards have increased dramatically the past 2 years, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has health concerns related to interaction of released mallards and pheasants with wild waterfowl and wild turkeys, respectively, and

WHEREAS, the Louisiana Department of Wildlife and Fisheries has additional enforcement concerns regarding mallard releases into the wild, and

WHEREAS, the existing regulations governing Hunting Preserves are inadequate to protect wildlife resources, particularly waterfowl and wild turkeys, now

THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby adopt these rules and regulations governing Hunting Preserves recommended by the Department and set forth in the attached Notice of Intent, and

BE IT FURTHER RESOLVED, that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this Notice of Intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

James H. Jenkins, Jr.
Chairman

Joe L. Herring
Secretary

May 7, 1992

NOTICE OF INTENT

Department of Wildlife and Fisheries

Wildlife and Fisheries Commission

The Department of Wildlife and Fisheries and Wildlife and Fisheries Commission does hereby give notice of its intent to adopt a rule governing hunting preserves.

Title 76

Part V. Wild Quadrupeds and Wild Bird

Chapter 3. Wild Birds

Section 317. Hunting Preserve Regulations

As provided by R.S. 56:651, the Department may issue a license to operate Hunting Preserves. Hunting Preserves are to be operated under the following regulations.

A. Application Requirements

1. Application shall be made in writing on forms provided by the Department.

2. Applicant must provide proof of ownership or verification of exclusive hunting rights from the landowner upon the property the Hunting Preserve is to be operated. This is to be returned with the application.

3. The Department may revoke any Hunting Preserve license for failure to comply with any fish or wildlife laws; for reasons relating to disease or public health or for failure to abide by the rules and regulations established for this hunting preserve program.

B. Suitability of Area for Use as a Hunting Preserve

1. No license for a Hunting Preserve shall be issued until an on-site investigation has been completed by the Department and the Department has determined that the property is suitable for the purpose of the proposed Hunting Preserve. The Department shall base its determination on whether or not the proposed shooting area will cause conflicts with wild migratory game bird hunting, or be in violation of state and federal regulations concerning the feeding of migratory waterfowl or the use of live decoys, that the establishment of the shooting area will be in the public interest, and that the operation of a Hunting Preserve at the location specified in the application will not have a detrimental effect upon wild migratory or resident game birds.

2. No license shall be issued for any Hunting Preserve situated on a marsh, lake, river or any other place where there are concentrations of wild waterfowl or if its operations are likely to result in attracting such concentrations of wild waterfowl.

3. No Hunting Preserve using mallards shall be located within 5 miles of any wildlife area with significant waterfowl concentration owned or leased by the state or federal government or by non-profit conservation organizations.

4. Licenses for Hunting Preserves using mallards will not be issued in the coastal zone, defined as that area south of I-10 from the Texas state line to Baton Rouge, south of I-12 from Baton Rouge to Slidell and south of I-10 from Slidell to the Mississippi State line.

5. No license shall be issued for the use of pheasants on any

Hunting Preserve situated within areas with medium to high turkey populations. In areas with low turkey populations and low potential for expansion pheasants may be used. This determination will be made at the local level by a Department biologist in consultation with the turkey study leader. Agricultural areas contiguous to occupied turkey habitat may use pheasants if the preserve boundaries are at least 1/2 mile from the nearest woodland.

C. Types of Releases Allowed

1. The use of mallards on Hunting Preserves is limited to those operations whereby domestic mallards are released in a controlled fashion to proceed over positioned shooters in their flight path. No direct releases of any species of domesticated waterfowl into the wild for any sporting purposes or for any reasons are permitted within the state.

2. Quail may be released after September 1 on Hunting Preserves for the purpose of providing coveys for hunting. Pheasants and chukars may not be released on Hunting Preserves more than 1 day prior to a scheduled hunt. No direct releases of domesticated game birds, including but not limited to quail, pheasants and chukars, into the wild for purpose of population establishment are permitted within the state.

D. Inspection of Permitted Areas and Domesticated Game Birds

1. Applicant must provide proof that the birds to be released originated from a source flock participating in the National Poultry Improvement Plan (NPIP) within (365) three hundred sixty five days

prior to release and have not been in contact with birds from non-NPIP sources.

2. The premises of game bird production facilities and/or holding pens may be inspected by the Department or by a designated agent for assessment of health of birds and sanitation of facilities. General pen requirements must conform to those adopted by the Louisiana Wildlife and Fisheries Commission for game breeders.

3. Accurate records of animal husbandry and mortality must be maintained at production/holding facilities and will be subject to periodic inspection by the Department.

4. Every person who brings or causes to be brought into this state live domestically reared game birds for shooting purposes must comply with Livestock Sanitary Board regulations on livestock, poultry, and wild animals (R.S. 7:11705 and 11789). A copy of the health certificate must also be forwarded to the Department of Wildlife and Fisheries for each shipment of birds. Any shipment of birds not accompanied by a health certificate shall be destroyed or returned to the place of origin by the importer at his sole cost and responsibility.

E. Hunting Licenses Requirements

1. A basic hunting license or Hunting Preserve license is required of all persons hunting on Hunting Preserves. In addition, a state duck stamp is required as provided by law of all persons taking mallards on any hunting preserves.

F. Season Dates

1. The season during which shooting will be permitted shall be set by the Louisiana Wildlife and Fisheries Commission. The current season is fixed for the period of October 1 through April 30.

G. Shooting Hours

1. Shooting hours for Hunting Preserves shall be set by the Louisiana Wildlife and Fisheries Commission. The current hours are one-half hour before sunrise to sunset.

H. Methods of Take

1. Shotguns 10 gauge or smaller using steel or lead shot incapable of holding more than three shells in the magazine and chamber combined;
2. Muzzle-loading shotguns;
3. Falconry;
4. Archery equipment.

I. Existing state laws R.S. 56:651-659 and federal law 50 CFR 21:13 address bird banding, bird identification, bird transportation, reports and records and other issues. Compliance with these state and federal laws are mandatory.

J. Changes in Rules

1. The Louisiana Wildlife and Fisheries Commission and the U.S. Fish and Wildlife Service may from time to time make changes in these rules and it is the responsibility of the licensee to apprise himself of any changes and to abide by them.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:651, 56:652, 56:653, 56:654, 56:655, 56:656, 56:657, 56:658, and 56:659.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, L.R. 18: (1992).

Interested persons may submit written comments of the proposed rule to Robert Helm, Waterfowl Biologist, Game Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, July 15, 1992.

James H. Jenkins, Jr.
Chairman

RULE

Department of Wildlife and Fisheries
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby adopts the amended rules and regulations pertaining to seismic operations and the use of airgun surveys on designated red lined oyster grounds belonging to the state of Louisiana.

TITLE 76

WILDLIFE AND FISHERIES

PART I. WILDLIFE AND FISHERIES COMMISSION AND
AGENCIES THEREUNDER

Chapter 3. Special Powers and Duties

Subchapter A. Seismic Exploration

301. Regulation

AG. Seismic operators making application to work on any designated red lined oyster seed ground belonging to the state of Louisiana will be required to pay the following fees in addition to the supervisory fees: \$100 per drilled shot hole or \$1,000 per linear mile, whichever is greater, for reflective or refractive cable. For airguns only, the following fees apply: \$1,000 per

linear mile in water depths less than or equal to five feet;
\$ 400 per linear mile in water depths greater than five feet and
less than or equal to 10 feet deep; \$ 200 per linear mile in water
depths greater than 10 feet; OR, for 3-D airgun surveys: \$12,500
per square mile in water depths less than or equal to five feet;
\$ 5,000 per square mile in water depths greater than five feet and
less than or equal to 10 feet deep; \$ 2,500 per square mile in
water depths greater than 10 feet.

All of these fees are to be paid in advance. All fees will be
reviewed each January.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:214 and
R.S. 36: 609.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and
Fisheries, Wildlife and Fisheries Commission, LR 4:300 (August
1978), amended LR 10:410 (May 1984), LR 13:115 (February 1987),
amended LR 18: (May 1992).

James H. Jenkins, Jr.
Chairman

ENFORCEMENT CASE REPORT

APRIL 1992

By code

STW

What's his who cares
name?

~~SEANDER ~~Seanta~~ Glenn?~~
IF I KNEW HIS
NAME, I MIGHT
THANK HIM.

ENFORCEMENT CASE REPORT-APRIL 1992

REGION I

TOTAL CASES=140

ENFORCEMENT-139

OTHER - 1

47-Boating

24-Angling W/O A License

46-Fish W/O Resident Pole Lic.

3-Not Abiding By Rules And Regs. Of Commission

1-Fail To Have Commercial Lic. In Possession

2-Take Commercial Fish W/O Comm. Gear Lic.

1-Sell And/Or buy Fish W/O Wholesale/Retail Dealer's Lic.

1-Hunting W/Unplugged Gun Or Silencer

1-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

1-Hunt Turkey W/O Non-Res. Big Game Lic.

1-Hunt Turkey Over Baited Area

4-Operating Vehicle While Intoxicated

4-Illegal Possession Of Drugs Or Marijuana

2-Other Than Wildlife and Fisheries

CONFISCATIONS:

7 yellow catfish, 25 yards of 3 inch gill net.

GRAND TOTAL OF EACH CATEGORY FOR REGION I

45-Boating

78-Fishing

4-Hunting

13-Miscellaneous

REGION 2

TOTAL CASES-169

ENFORCEMENT-169

OTHER - 0

21-Boating

39-Angling W/O A License

78-Fish W/O Resident Pole Lic.

4-Take Illegal Size Black Bass

1-Take Or Sell Commercial Fish Or Bait Species W/O Comm. Lic.

1-Take Commercial Fish W/O Comm. Gear Lic.

1-Blocking Passage Of Fish

1-Allow Another To Use Commercial License

1-Permit Unlicensed Person To Use Commercial Gear

6-Take/Possess Frogs Closed Season

1-Hunting W/O Non-Resident Lic.

6-Operating Vehicle While Intoxicated

1-Littering

8-Other Than Wildlife And Fisheries

CONFISCATIONS:

1 gobbler turkey, 1 black bass.

GRAND TOTAL OF EACH CATEGORY FOR REGION 2

21-Boating

132-Fishing

1-Hunting

6-DWI

9-Other

REGION 3

TOTAL CASES-210

ENFORCEMENT-204

OTHER - 6

89-Boating

103-Angling W/O A Lic.

12-Fish W/O Resident Pole Lic.

4-Take Game Fish Illegally

7-Taking/Poss. Over Limit Of Undersized Freshwater Gamefish

8-Take Illegal Size Black Bass

1-Take Or Sell Commercial Fish Or Bait Species W/O Comm. Lic.

1-Hunting W/O Resident License

3-Not Abiding By Rules And Regs. On WMA

13-Criminal Trespass On State Property

2-Operate ATV Vehicle On Public Road

CONFISCATIONS:

1-15 hp. Johnson outboard motor, 7 black bass.

GRAND TOTAL OF EACH CATEGORY FOR REGION 3

103-Fishing

89-Boating

18-Other

REGION 4

TOTAL CASES-123

ENFORCEMENT-120

OTHER - 3

31-Boating

46-Angling W/O A License

32-Fish W/O Resident Pole Lic.

2-Fail To Have Commercial Lic. In Poss.

REGION 4 CONT'D.

1-Take Commercial Fish W/O Commercial Gear Lic.

1-Sell And/Or Purchase Game Fish

3-Blocking Passage Of Fish

1-Take/Possess Frogs Closed Season

1-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

3-Hunt Turkey Closed Area

1-Not Abiding By Rules And Regs. On WMA

CONFISCATIONS:

7 hoop nets with leads.

GRAND TOTAL OF EACH CATEGORY FOR REGION 4

31-Boating

4-Hunting

87-Fishing

1-WMA Violation

REGION 5

TOTAL CASES-223

ENFORCEMENT-207

OTHER - 16

91-Boating

96-Angling W/O A License

7-Fish W/O Resident Pole Lic.

2-Take Game Fish Illegally

1-Poss. O/L Of Red Drum

2-Take Or Poss. Undersized Red Drum

1-Take Commercial Fish W/O Comm. Gear Lic.

1-Take Or Poss. Commercial Fish W/O Vessel Lic.

REGION 5 CONT'D.

2-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's Lic.

2-Fail To Maintain Records

2-Transport W/O Required Lic.

2-Leave Nets Unattended

9-Take/Possess Frogs Closed Season

1-Harvest Oysters W/O Oyster Harvester License

1-Hunt Or Discharge Firearm From Public Road Or Road Right-Of-Way

1-Fail To Tag Alligator Upon Taking Or Possess Improperly Tagged

Alligator

2-Taking Or Possessing Alligators Closed Season

CONFISCATIONS:

1 alligator, 1 black bass, 8 red drum, 2 red snapper, 422 lbs. of shrimp, 2300 feet of gill net, 88 frogs.

GRAND TOTAL OF EACH CATEGORY FOR REGION 5

91-Boating

128-Fishing

4-Hunting

REGION 6

TOTAL CASES-317

ENFORCEMENT-316

OTHER - 1

114-Boating

134-Angling W/O A License

44-Fish W/O Resident Pole Lic.

3-Take Game Fish Illegally

1-Fail To Have Commercial Lic. In Poss.

1-Take Commercial Fish W/O Comm. Gear Lic.

REGION 6 CONT'D.

1-Take Or Poss. Commercial Fish W/O Vessel Lic.

1-Take Or Poss. Undersized Red Drum

1-Use Lead Nets In Other Than Overflow Regions

2-Possess Or Sell Undersized Crabs

1-Take/Possess Frogs Closed Season

1-Butterflying In Closed Season

2-Harvest Oysters W/O Oyster Harvester License

3-Trawling In Closed Season

2-Possession Of Live Alligators W/O Permit

1-Illegal Possession Of Drugs Or Marijuana

3-Littering

1-Other Than Wildlife And Fisheries

1-Flight From An Officer

CONFISCATIONS:

3,145 of shrimp, 2 marijuana cigarettes, 1 pistol, 9 hoop nets with leads, 1 hook drag, 42 sac-a-lait, 10 bream,

1 white bass, 13 white bass, 1 small alligator, 7 frogs, 460 lbs. of shrimp.

GRAND TOTAL OF EACH CATEGORY FOR REGION 6

114-Boating

195-Fishing

2-Hunting

6-Misc.

REGION 7

TOTAL CASES-492

ENFORCEMENT-490

OTHER - 2

188-Boating

216-Angling W/O A License

50-Fish W/O Resident Pole Lic.

6-Use Gear W/O Recreational Gear Lic.

1-Angling W/O Saltwater Lic.

2-Not Abiding By Rules And Regs. Of Commission

2-Take Game Fish Illegally

2-Take Or Poss. Undersized Red Drum

2-Take Or Sell Commercial Fish Or Bait Species W/O Comm. Lic.

1-Take Commercial Fish W/O Comm. Gear Lic.

1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's Lic.

1-Fail To Maintain Records

2-Transport W/O Required Lic.

1-Hunting W/O Resident Lic.

1-Possess Rabbits Closed Season

1-Hunt W/O Resident Big Game Lic.

2-Possess Illegal Turkey

2-Not Abiding By Rules And Regs. On WMA

2-Criminal Trespass

1-Illegal Possession Of Drugs Or Marijuana

3-Operating Vehicle While Intoxicated

3-Littering

2-Other Than Wildlife And Fisheries

REGION 7 CONT'D.

CONFISCATIONS:

18 spoonbill catfish, 4 crates of crabs, 77 lbs. of shrimp, 4 redfish, 1 hen turkey, 1 shotgun, 1 cast net.

GRAND TOTAL OF EACH CATEGORY FOR REGION 7

188-Boating

286-Fishing

5-Hunting

13-Other

REGION 8

TOTAL CASES-275

ENFORCEMENT-231

OTHER - 44

90-Boating

59-Angling W/O A License

1-Fish W/O Resident Pole Lic.

6-Angling W/O Saltwater Lic.

4-Poss. O/L Of Red Drum

9-Take Or Poss. Undersized Red Drum

3-Take Or Poss. Undersized Spotted Sea Trout

7-Take Or Poss. Undersized Black Drum

3-Poss. O/L Spotted Sea Trout

3-Take Or Poss. O/L Black Drum

3-Not Abiding By Commission Rules And Regs.

5-Fail To Have Commercial Lic. In Poss.

2-Take Or Sell Commercial Fish Or Bait Species W/O Comm. Lic.

10-Take Commercial Fish W/O Commercial Gear Lic.

14-Take Or Poss. Commercial Fish W/O Vessel Lic.

REGION 8 CONT'D.

2-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's Lic.

3-Fail To Maintain Records

1-Use Illegal Mesh Nets

10-Leave Nets Unattended

1-Take Or Poss. Undersized Commercial Fish

2-Buy Commercial Fish From Un-Lic. Fisherman

1-Take/Possess Oysters W/O Oyster Harvester Lic.

2-Use Illegal Length Gill Nets-Saltwater

4-Failure To Mark/Tag Nets

1-Possess Or Sell Undersized Crabs

3-Violate Comm. Regulations For Commercial Fish

6-Trawling In Closed Season

2-Butterflying In Closed Season

3-Failure To Have Written Permission

1-Unlawfully Take Oysters Off A Private Lease

5-Harvest Oysters W/O Oyster Harvester License

1-Fail To Cull Oysters In Proper Location

2-Taking Or Possessing Alligators Closed Season

3-Littering

2-Other Than Wildlife And Fisheries

2-Violation Of Sanitary Code-Chapter 9

1-Not Abiding By Rules And Regs. On WMA

CONFISCATIONS:

41 gill nets totaling 7,550 feet, 54 red fish, 50 black drum, 886 speckled trout sold for \$1,397.10, 1 sheephead,

36 amberjack, 245 pounds of shrimp sold for \$537.50, 2 alligators,

REGION 8 CONT'D.

65 sacks of oysters, 8 boxes of crabs.

GRAND TOTAL OF EACH CATEGORY FOR REGION 8

90-Boating

95-Sport Fishing

63-Commercial Fishing

8-Trawling

10-Oyster

2-Alligator

1-WMA

6-Miscellaneous

REGION 9

TOTAL CASES-307

ENFORCEMENT-288

OTHER - 19

76-Boating

1-Allow Another To Use Recreational Lic.

105-Angling W/O A License

24-Fish W/O Resident Pole Lic.

1-Use Gear W/O Recreational Gear Lic.

16-Angling W/O Saltwater Lic.

2-Taking/Poss. Over Limit Or Undersized Freshwater Gamefish

4-Take Or Poss. Undersized Red Drum

5-Take Or Poss. Undersized Black Drum

1-Take Or Poss. O/L Black Drum

1-Fail To Have Commercial Lic. In Poss.

2-Take Or Sell Commercial Fish Or Bait Species W/O Comm. Lic.

REGION 9 CONT'D.

- 2-Take Commercial Fish W/O Commercial Gear Lic.**
- 6-Take Or Poss. Commercial Fish W/O Vessel Lic.**
- 1-Transport W/O Required Lic.**
- 3-Leave Nets Unattended**
- 5-Take Or Poss. Undersize Commercial Fish**
- 3-Use Crab Traps W/O Required Markings**
- 5-Failure To Mark/Tag Nets**
- 1-Take/Possess Undersized Black Drum**
- 1-Possess Or Sell Undersized Crabs**
- 1-Commercial Truck W/O Display Of Owner Name And Address**
- 4-Take/Possess Frogs Closed Season**
- 1-Fail To Comply W/Shark Permit and Report Rules**
- 2-Failure To Have Written Permission**
- 5-Unlawfully Take Oysters From State Water Bottoms**
- 2-Taking Oysters From Unapproved Area**
- 5-Harvest Oysters W/O Harvester License**
- 3-Fail To Cull Oysters In Proper Location**
- 1-Possess Firearm While Frogging**
- 1-Hunt Raccoons Or Opossums Illegally**
- 4-Possess/Take Undersize Federal Controlled Fish**
- 3-Possess/Take Over Limit Federal Controlled Fish**
- 6-Violation Of Sanitary Code-Chapter 9**
- 1-Failure To Comply Fish Farm Regulation**

REGION 9 CONT'D.

CONFISCATIONS:

3931 lbs of king mackeral sold for \$4,913.75, 56 sac-a-lait, 12 black drum, 250 sacks of oysters-released, 125 to water, 125 bass donated, 15 1/2 crates of crabs, 8 red snapper, 43 spanish mackerel, 169 lbs. of shark sold for \$75.40, 1 raccoon, 68 assorted filets donated.

GRAND TOTAL OF EACH CATEGORY FOR REGION 9

76-Boating

195-Fishing

17-Oysters

1-Hunting

1-Raccoon

17-Misc.

Page (13)

S.W.E.P.

TOTAL CASES-44

ENGINE HOURS-152

BOATS CHECKED-62

2-Boating

28-Angling W/O A License

6-Trawling In Closed Season

5-Trawl Inside Waters/With Four Rigs

3-Take/Possess Undersize Red Drum

CONFISCATIONS:

1500 lbs. of shrimp which sold for \$2420.45 and 6 trawls.

OYSTER STRIKE FORCE

TOTAL CASES-25

4-Failure To Have Written Permission

4-Sanitation Code Fail To Have Tarp

3-Lacy Act violation

3-Fail To Cull In Proper Location

2-No Wholesale/Retail Dealers License

2-No Oyster Harvester License

2-Trawling In Closed Season

1-Violation Of Sanitation Code

1-Unmarked Commercial Vehicle

1-Fail To Comply With Fish Farm Requirements

1-Take Commercial Fish Without Gear License

1-Take Commercial Fish Without Vessel License

CONFISCATIONS:

286 sacks of oysters, 125 lbs. of striped bass, 20 lbs. of shrimp, 1-35 foot shrimp trawl, 1 boat and 1 motor.

Page (15)

TOTAL OF CASES ENFORCEMENT-2044

TOTAL OF CASES OTHER DIV. - 92

TOTAL OF CASES S.W.E.P. - 44

TOTAL OF CASES O.S.F. - 25

GRAND TOTAL - 2205

NOTES:

1992

BIRTHSTONE: SARDONYX OR PERIDOT

AUGUST

FLOWER: GLADIOLA

1992

A day is beautiful when kindness touches it.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
NOTES:						1
2	3	4	5	6 <i>Yes!</i>	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

New Orleans, St. Tammany, St. Bernard, East Jefferson

**EAST BANK
COMMERCIAL FISHERMEN'S ASSOCIATION**

And Other Parishes East of The Mississippi River

#11 Treasure Isle Slidell, La. 70461 [504]646-1954

May 7, 1992

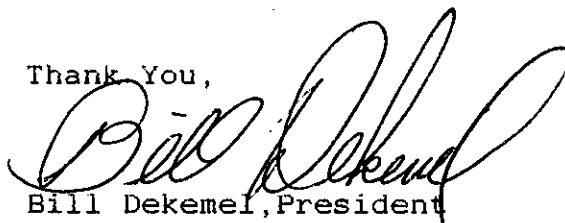
Good morning, Mr. Chairman, Commission members and ladies and gentlemen. My name is Bill Dekemel and I represent the East Bank Commercial Fisherman's Association which represents the views of most commercial fishermen east of the Mississippi and east of the Mississippi River Gulf outlet. Before I make our recommendation I would like to point out several unique characteristic relative to shrimp population dynamics and the shrimp fishery in Zone 1, in particular that portion of Zone 1 consisting of Lake Pontchartrain, Lake Borgne and the surrounding marsh areas or the area north and east of the MRGO.

Research by the Department of Wildlife and Fisheries and the National Marine Fisheries Service has shown shrimp exhibit different emigration patterns in different areas of the state. This was first identified by the Department of Wildlife and Fisheries in the early 1970's and reported by Gaidry and White in their report "The Investigation of Commercially Important Penaeid Shrimp in Louisiana Estuaries". This research was refined by Mrs. White and Boudreaux in their 1977 report "Development of an Area Management Concept for Gulf penaeid Shrimp". In fact, as a result of Mrs. White and Boudreaux's work, Louisiana was divided into three Shrimp Management Zones which has been successfully used by the Department of Wildlife and Fisheries to manage shrimp and to set seasons and closures and still remains in effect today. Shrimp tagging and recapture work conducted by the Department and the National Marine Fisheries Service during the 1970's and 1980's provides additional evidence that the zone concept was correct and that shrimp have a different emigration pattern in Zone 1 when compared to Zone 2. In Zone 2 the tagging data reveals that when brown shrimp reach approximately 80 count (whole shrimp per pound) they begin leaving the inside waters. This is the primary reason fishermen from Zone 2 want an early opening or the season opened when 50% of the shrimp reach 100 count. This management criteria provides opportunities for the inshore fishing in Zone 2 and is reasonably suited for the shrimp processing industry in that area which is primarily a drying and peeling industry.

In Zone 1 however, shrimp do not leave the inside waters at 80 count. Tagging data by the Department has shown shrimp tagged and released in Lake Borgne and Lake Pontchartrain stayed in the same general area for as long as 70 days and increased in size from over 100 count to 30 count. Additionally the industry in that portion of Zone 1 is geared to a larger more valuable shrimp which is mostly marketed directly to the seafood shops, restaurants and individuals in the metro area as a fresh head on product. Based upon this information which is all documented by the Department of Wildlife and Fisheries, the tagging study and the fact that although the shrimp in Zone 1 may be 50% 100 count after May 26th, the rest of the crop which is at least 50% will be much smaller than 100 count and not considered marketable. We do not think that we should sacrifice one half of our crop to catch 100 count shrimp.

At this time the East Bank Commercial Fisherman's Association recommends the 1992 spring inshore shrimp season in Zone 1 open at 6:00 A.M. on June 1, 1992.

Thank You,

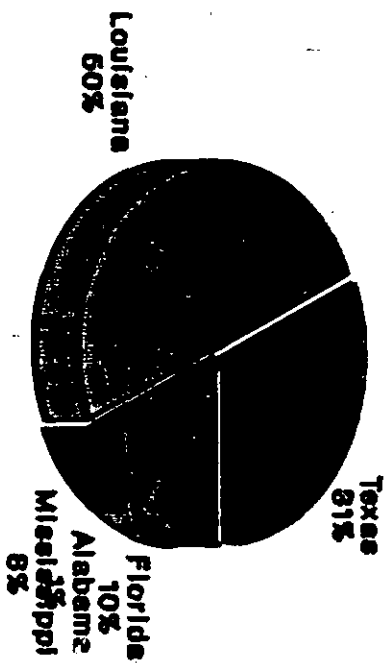
A handwritten signature in black ink, appearing to read "Bill Dekemel", written over the typed name.

Bill Dekemel, President

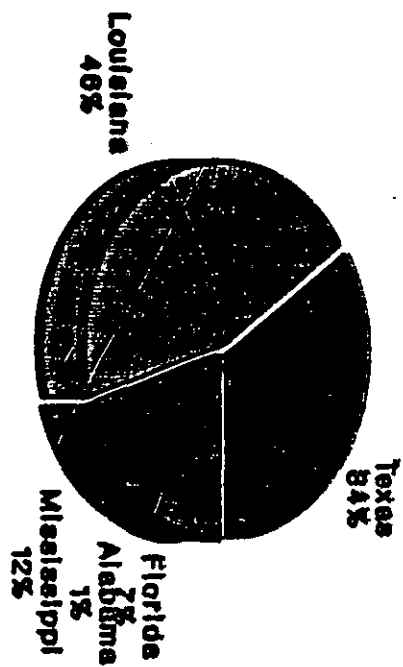
WJD/bd

Gulf States Shrimp Production **Average of 1965 - 1990**

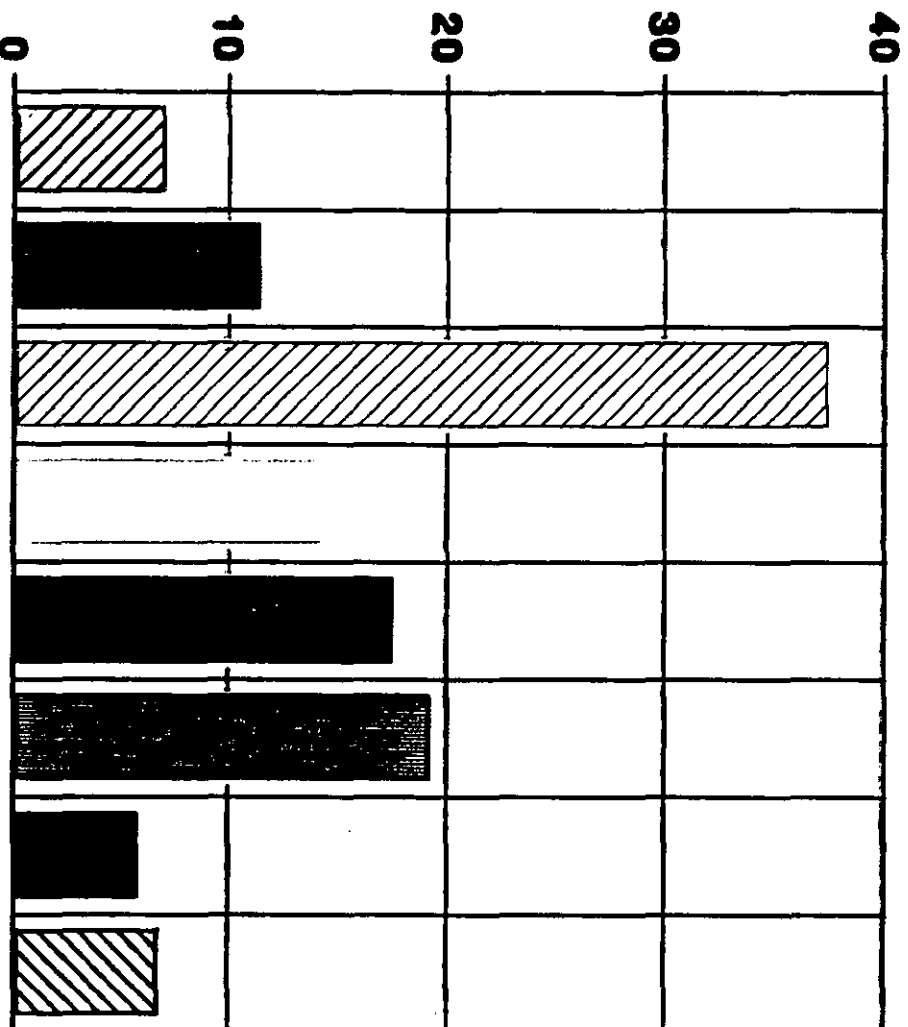
Distribution of Catch











Distribution of Dockside Value



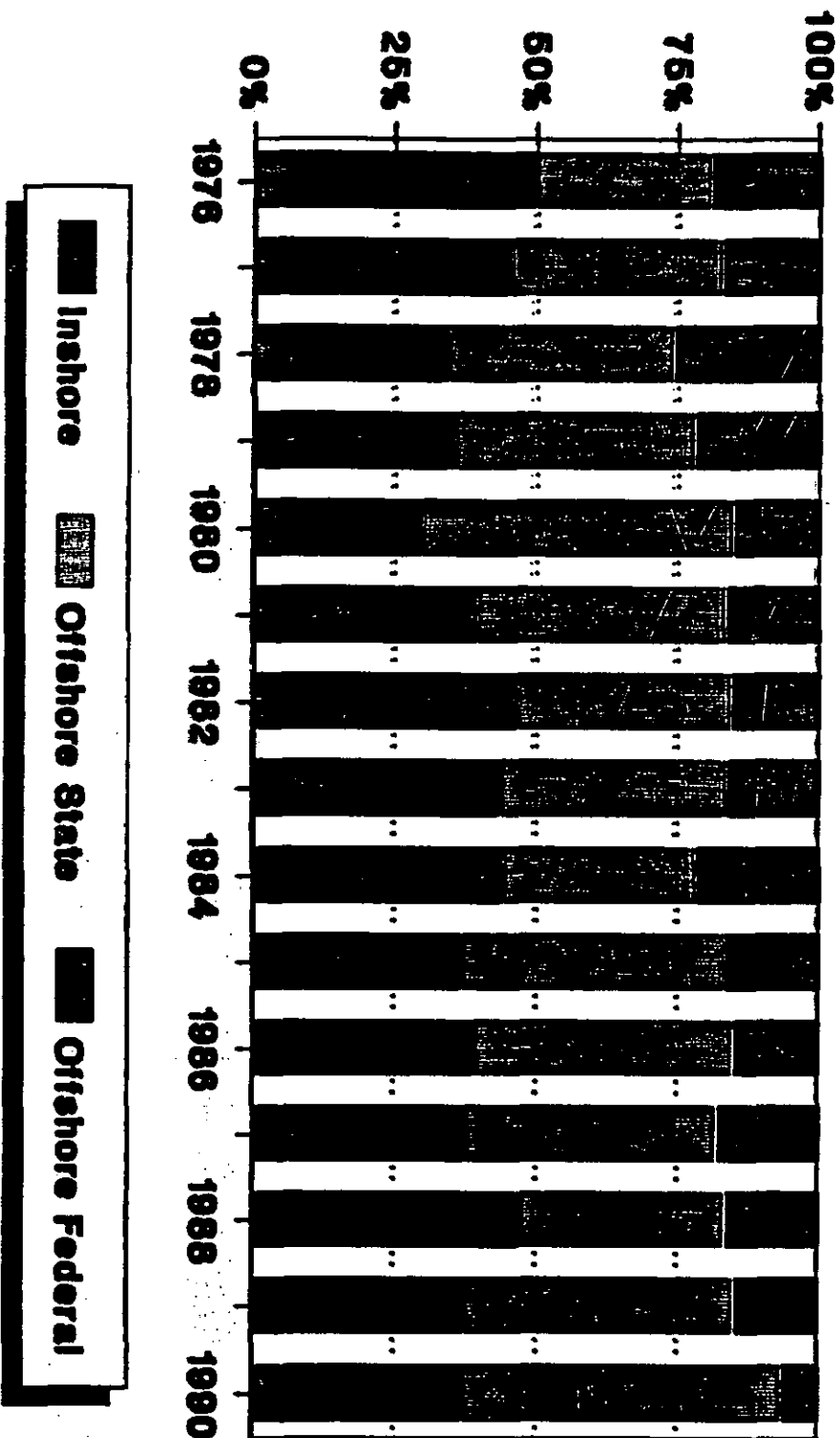
Louisiana Shrimp Landings by Parish Landings (x1 Million Pounds, Live Weight) 1986 - 1990 average



Source: Keithly, from NMFS
unpublished data

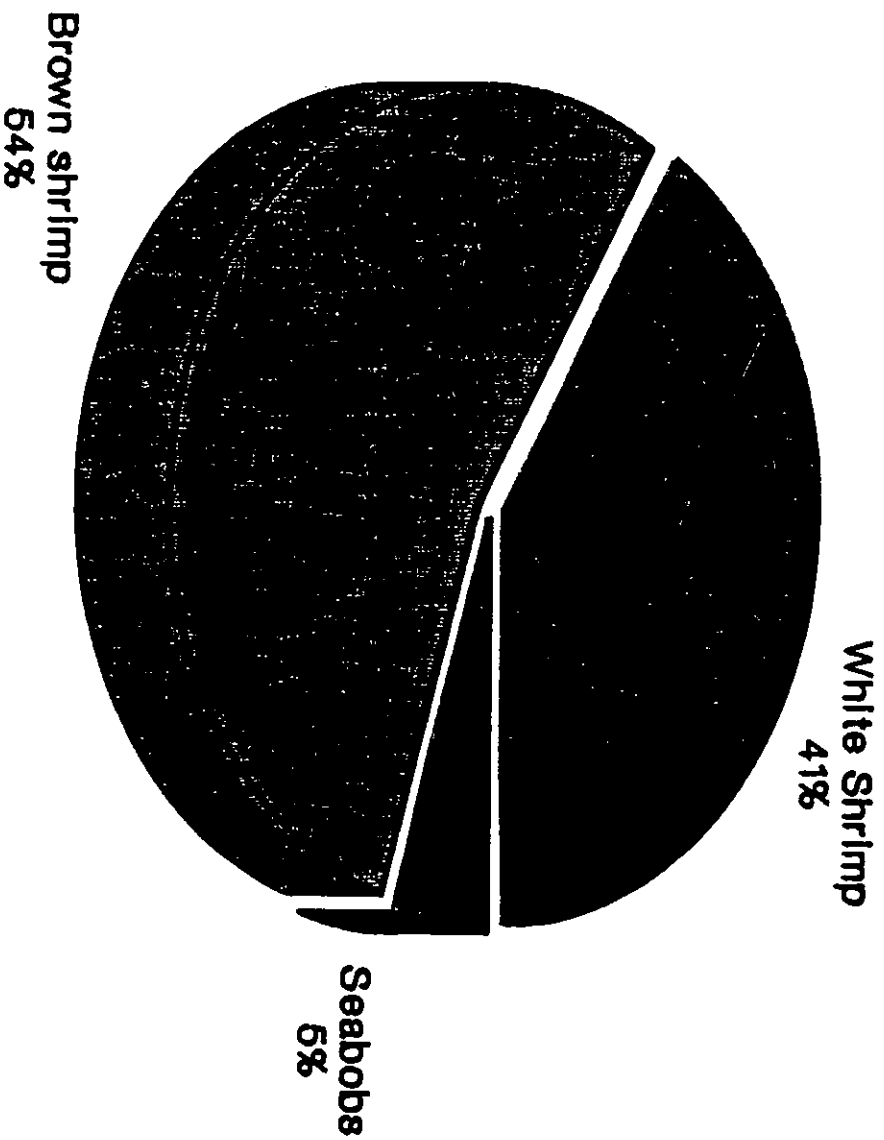
-  Cameron
-  Vermilion
-  Terrebonne
-  Lafourche
-  Jefferson
-  Plaquemines
-  St. Bernard
-  Other

Louisiana Shrimp Landings Weight Distribution by Inshore/Offshore Waters

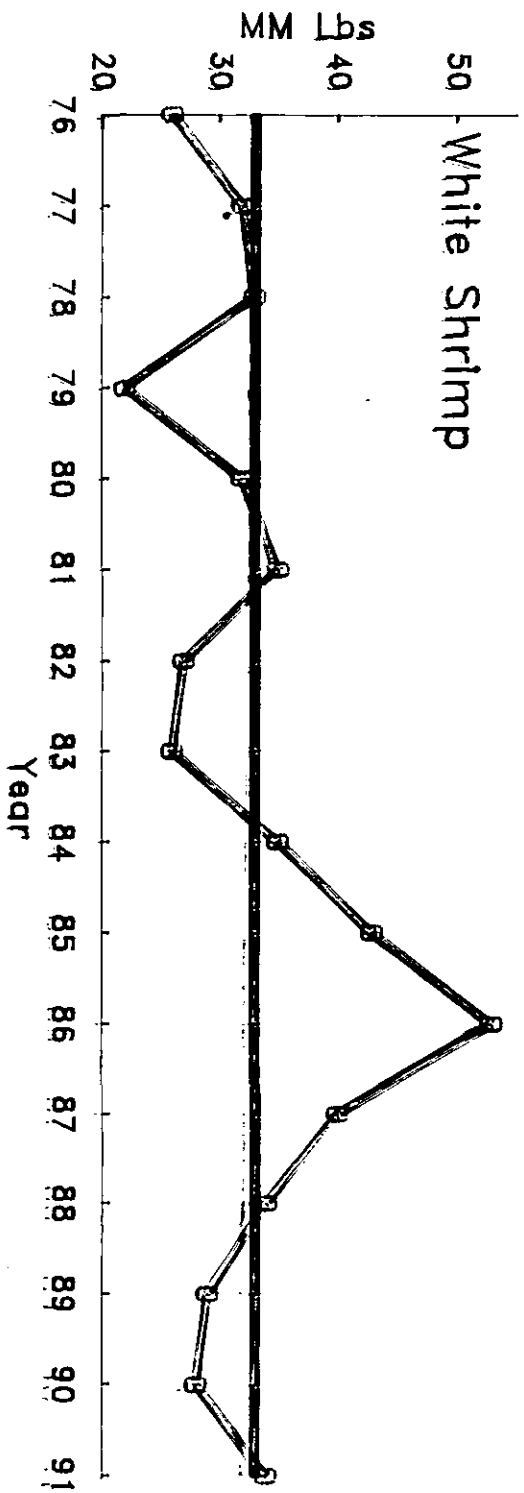
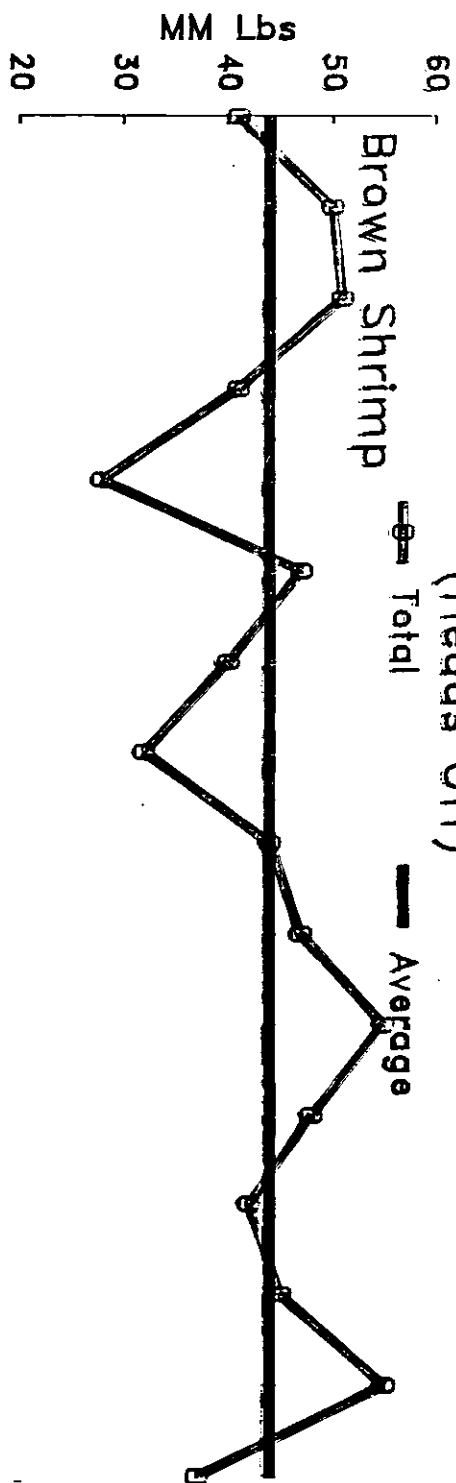


Source: Kalishy, from unpublished NMFS data

Louisiana Shrimp Catch Weight by Species

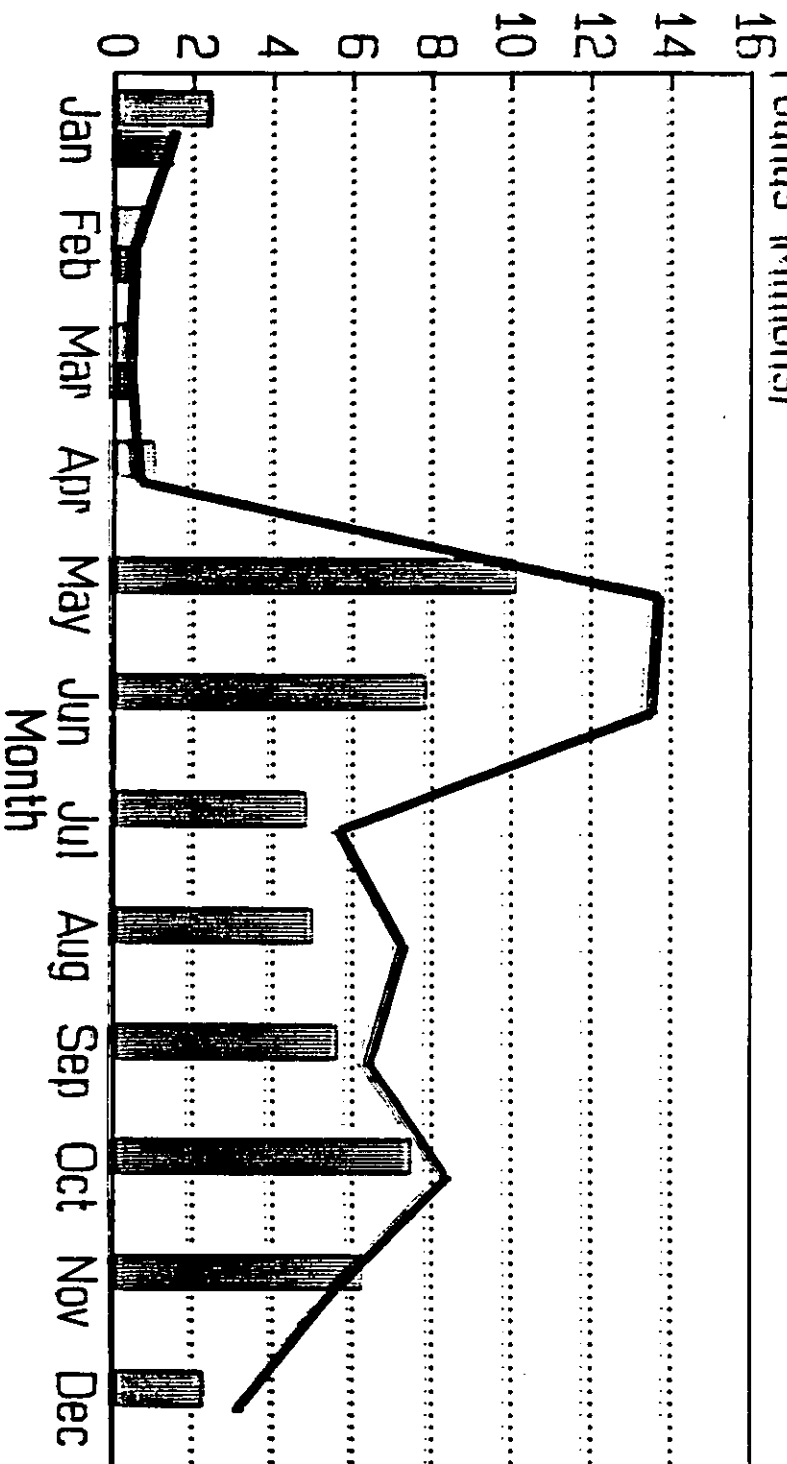


Louisiana Shrimp Catch (Heads Off)



Louisiana Landings

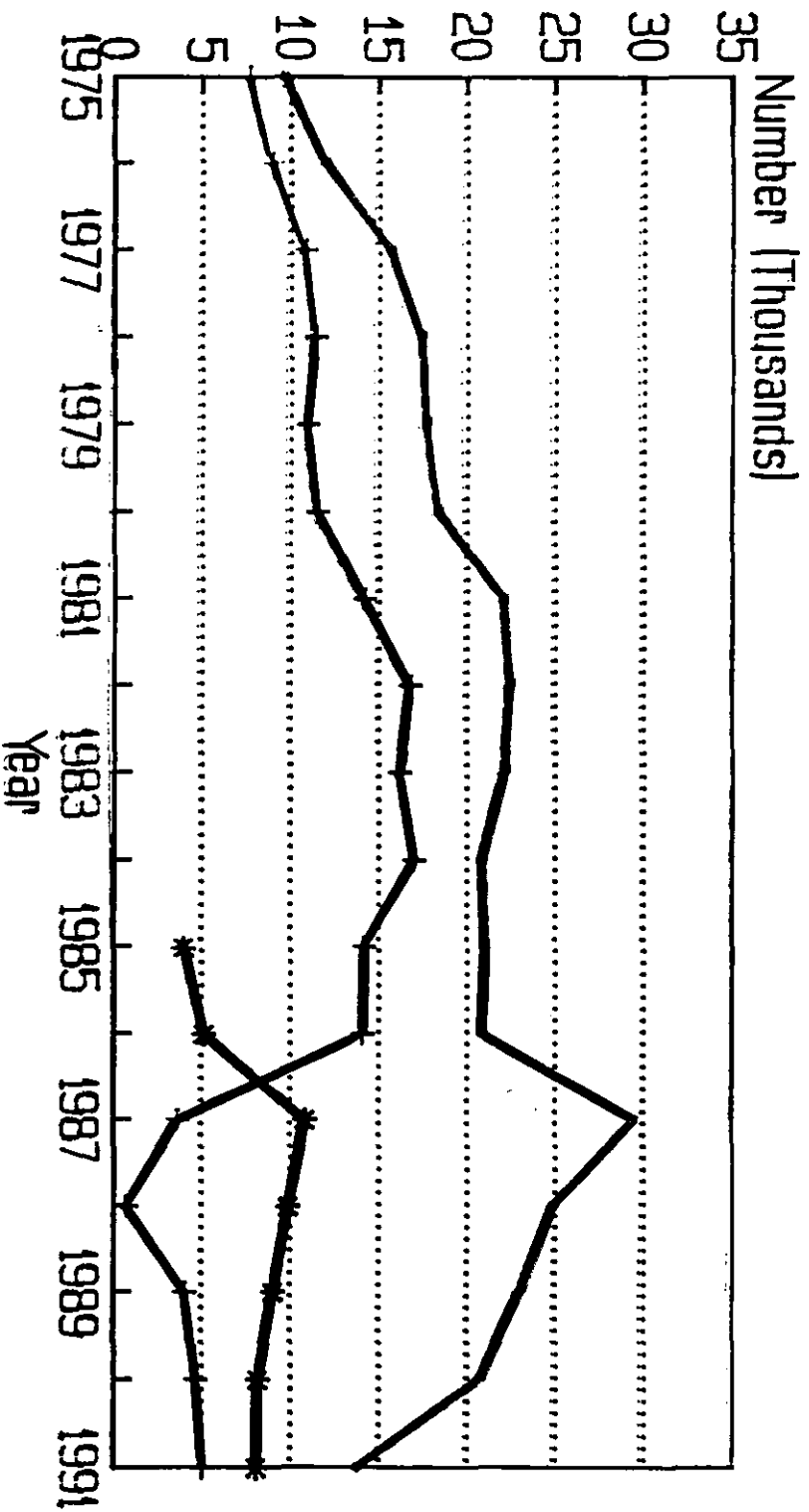
Pounds (Millions)



1991 — Mean(87-91) 1992

Preliminary from
NMFS SHIMP STATISTICS

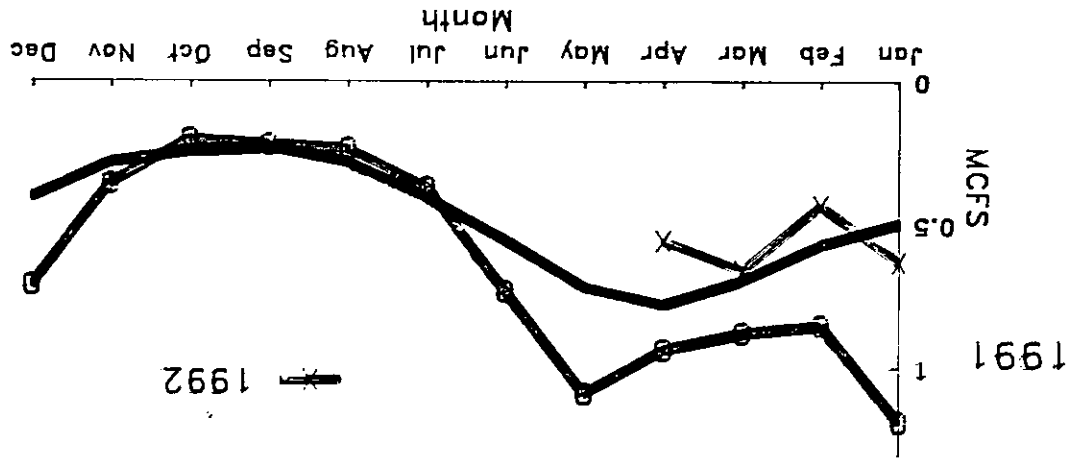
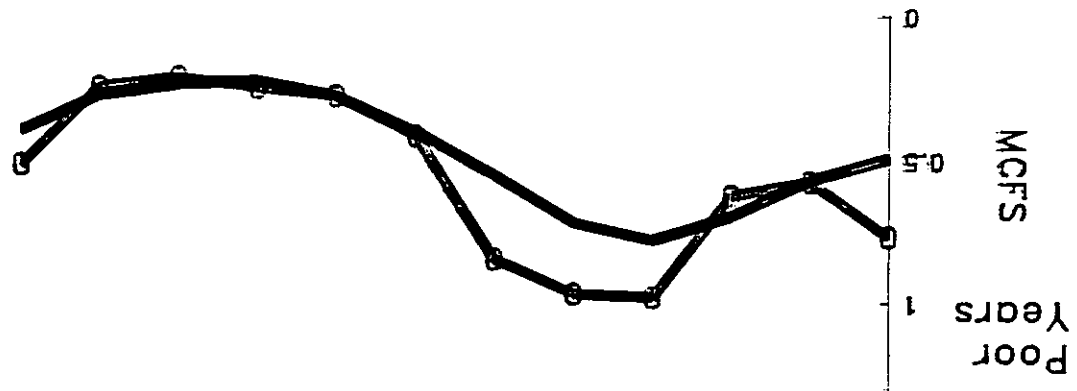
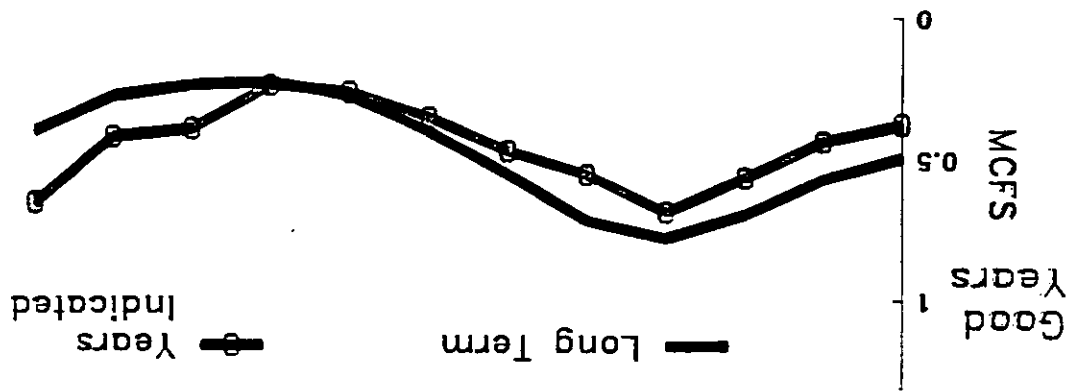
Louisiana Shrimp Gear License Sales by Year



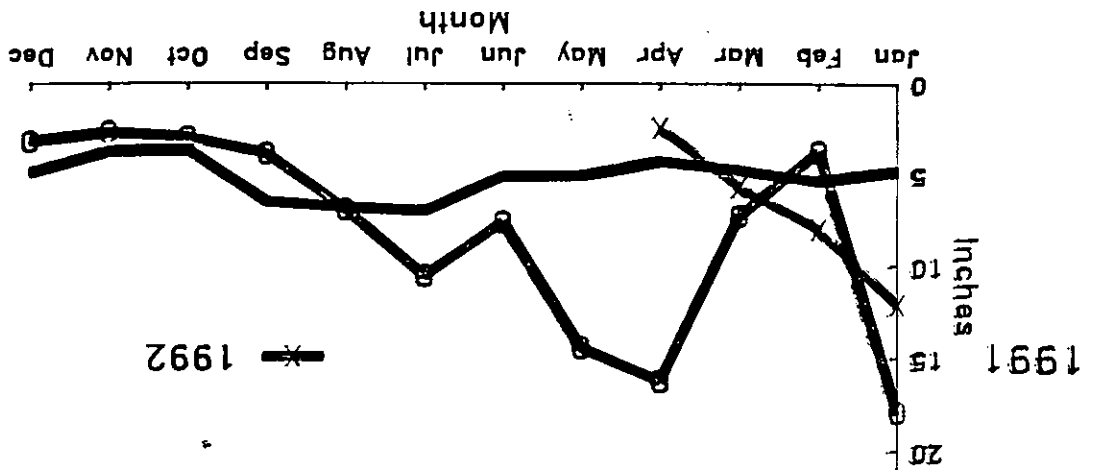
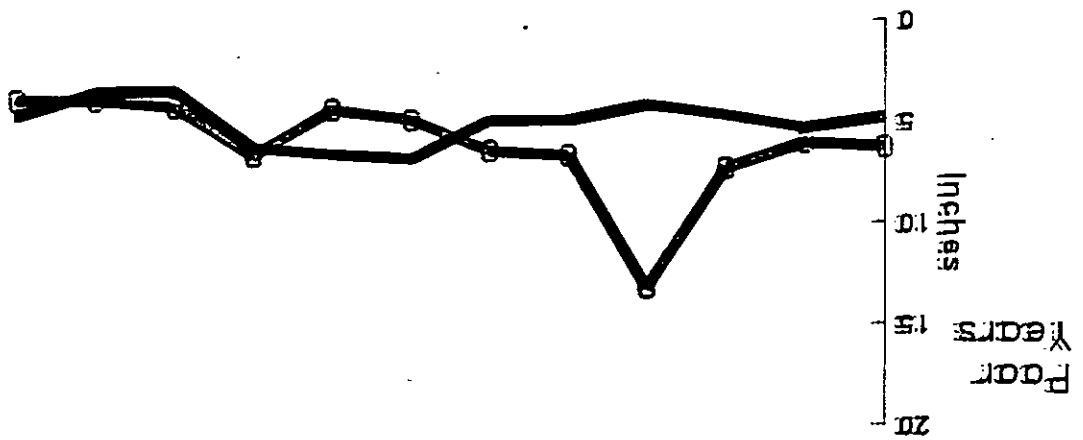
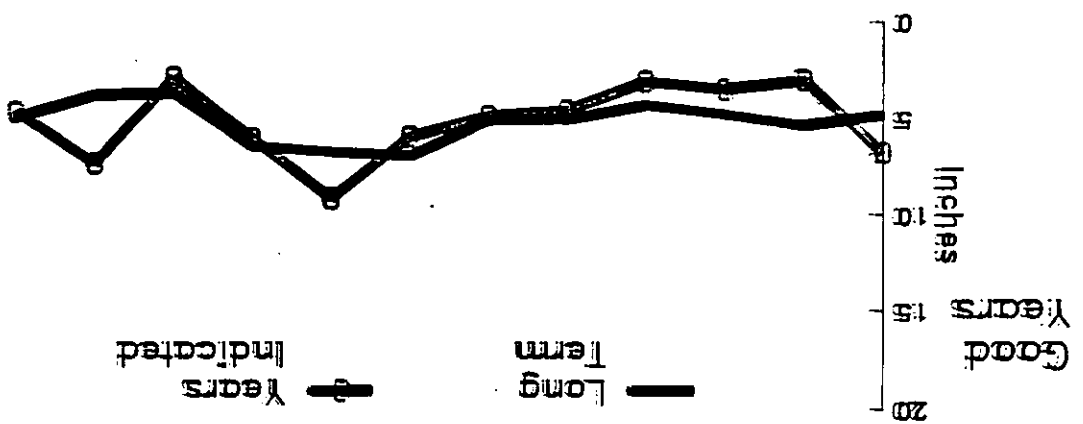
— Commercial Trawl + Recreational Trawl * Wingnet

Source: LDWF

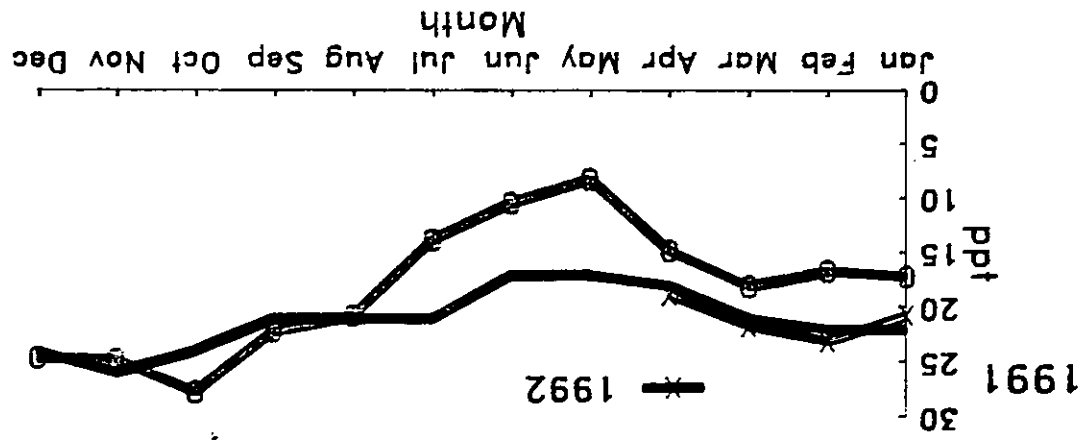
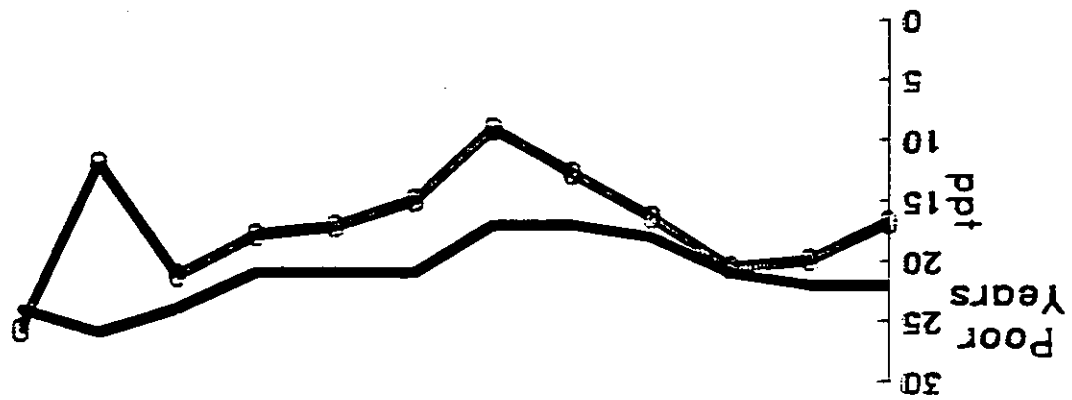
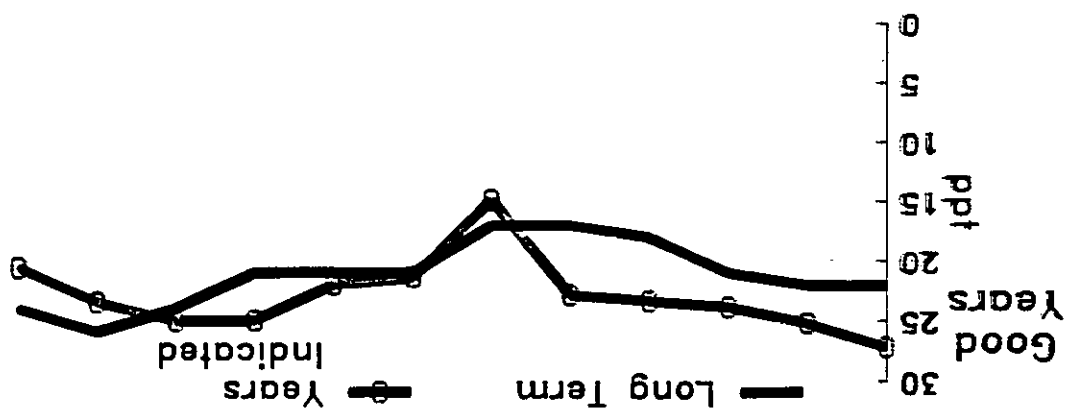
Mississippi River Discharge



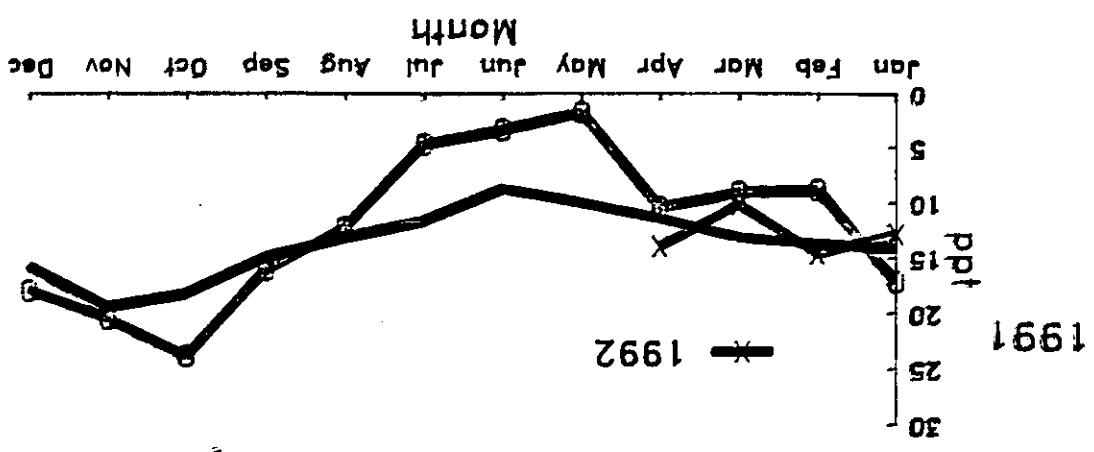
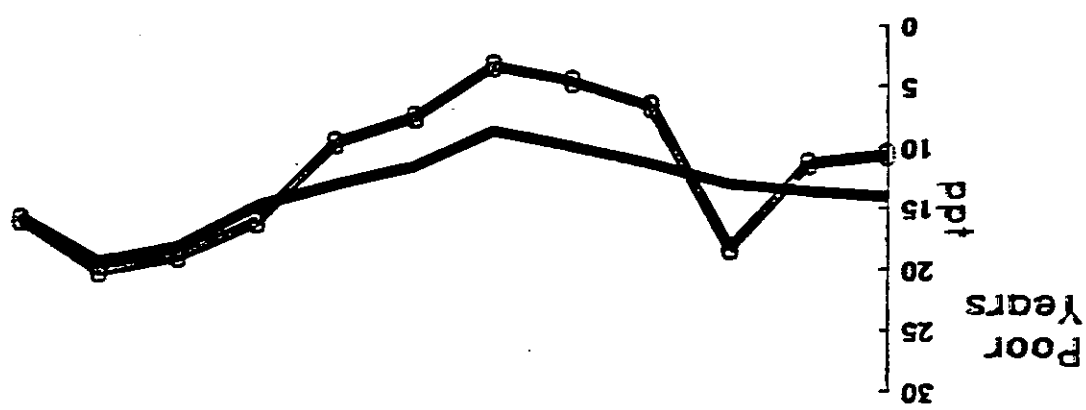
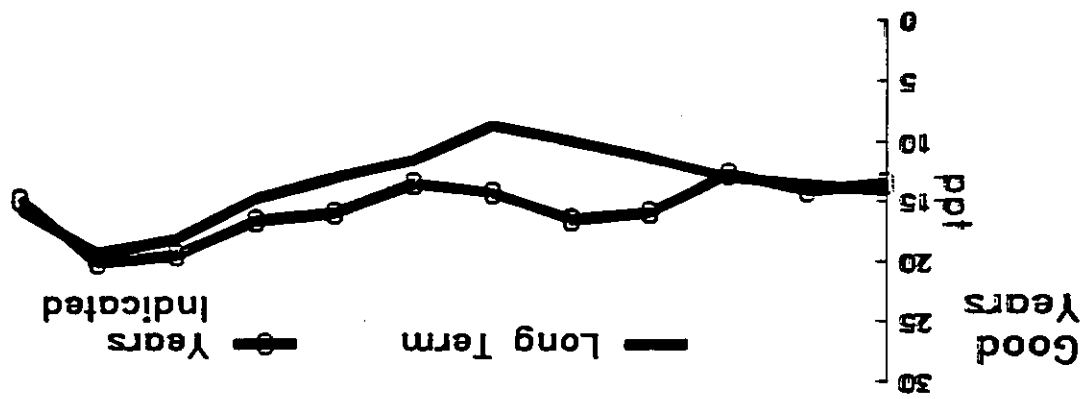
S.E. Louisiana Rainfall



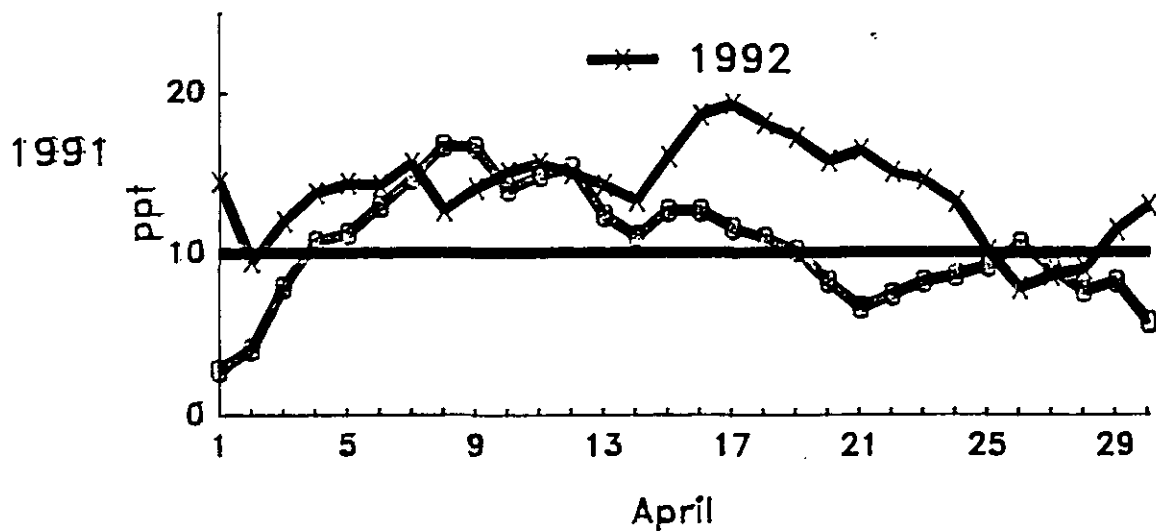
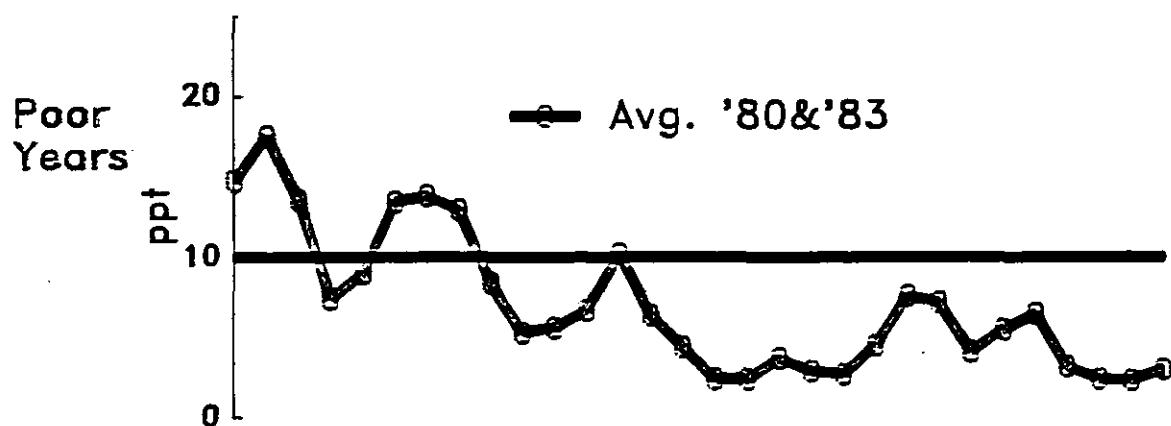
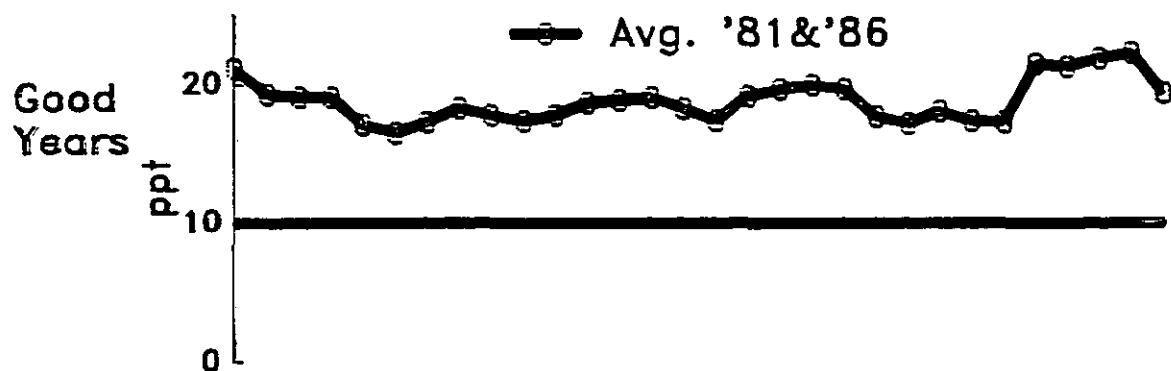
S. Barataria Bay Salinity



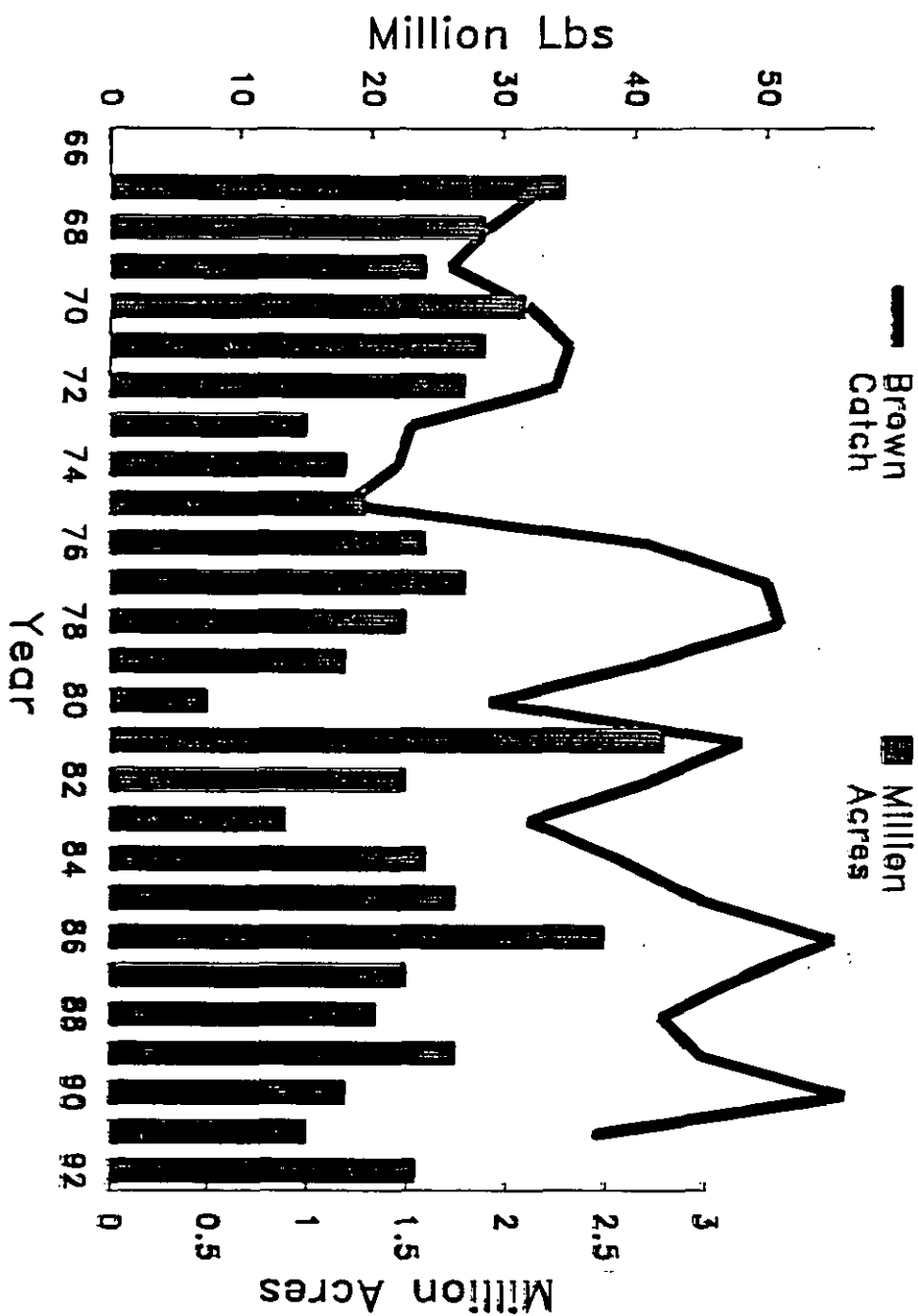
N. Barataria Bay Salinity



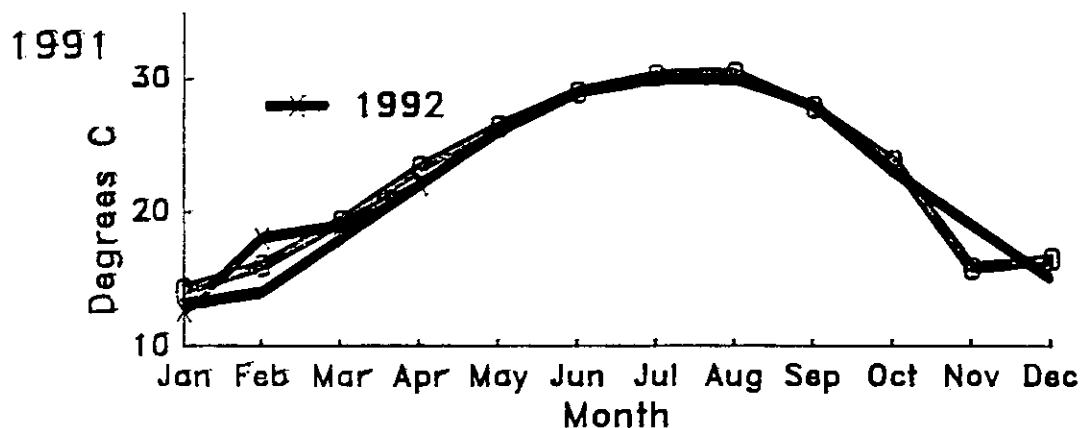
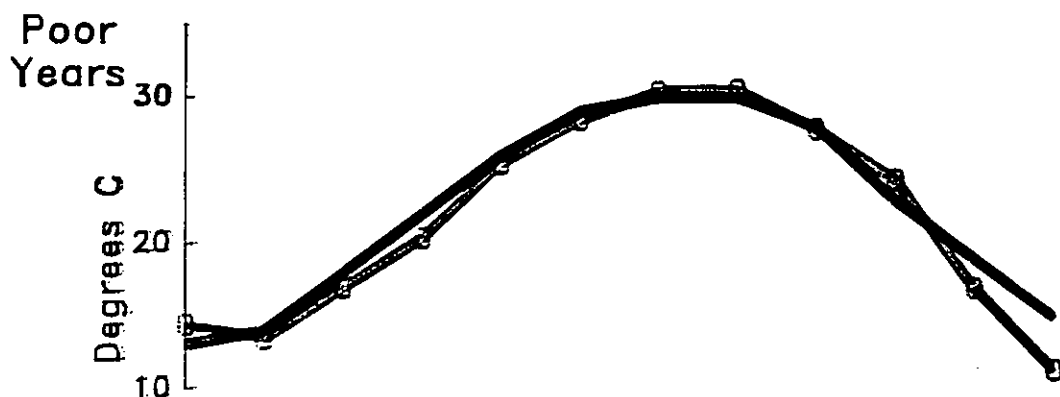
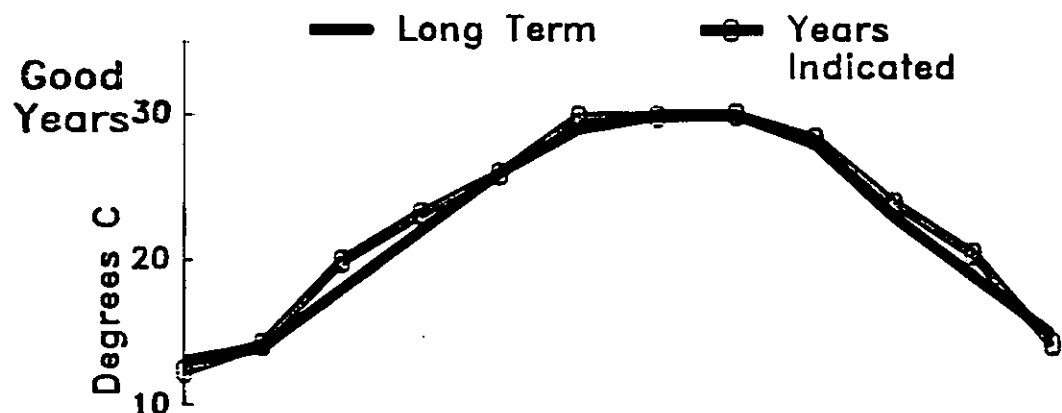
N. Barataria Bay, April Salinity



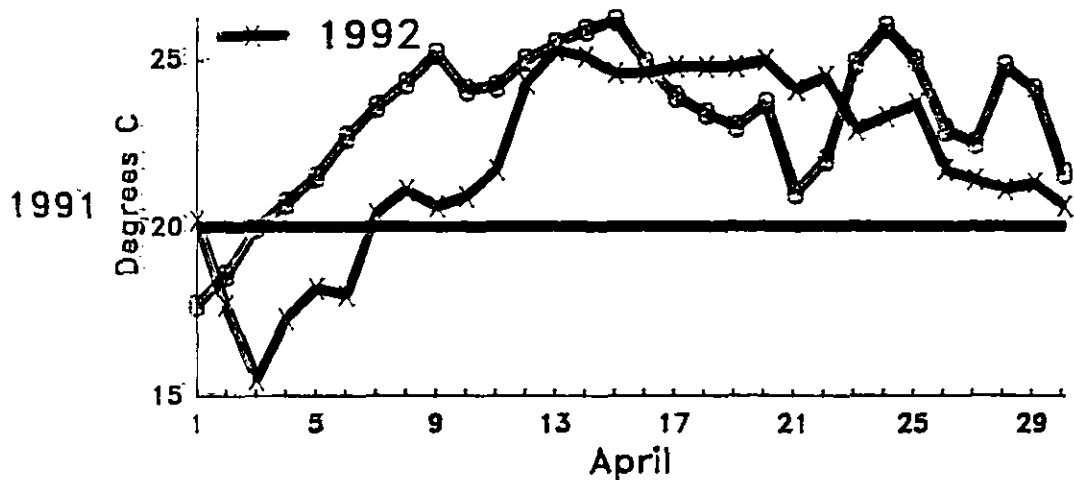
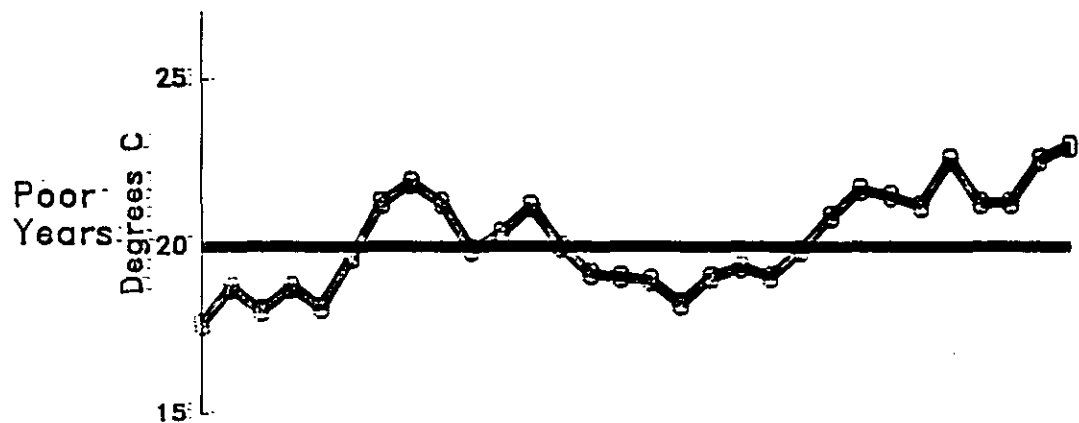
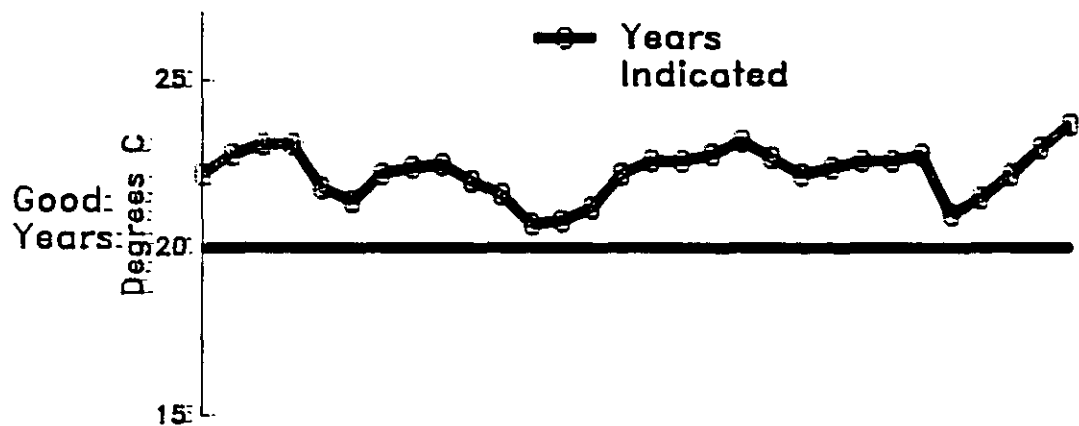
April Brown Shrimp Nursery Area



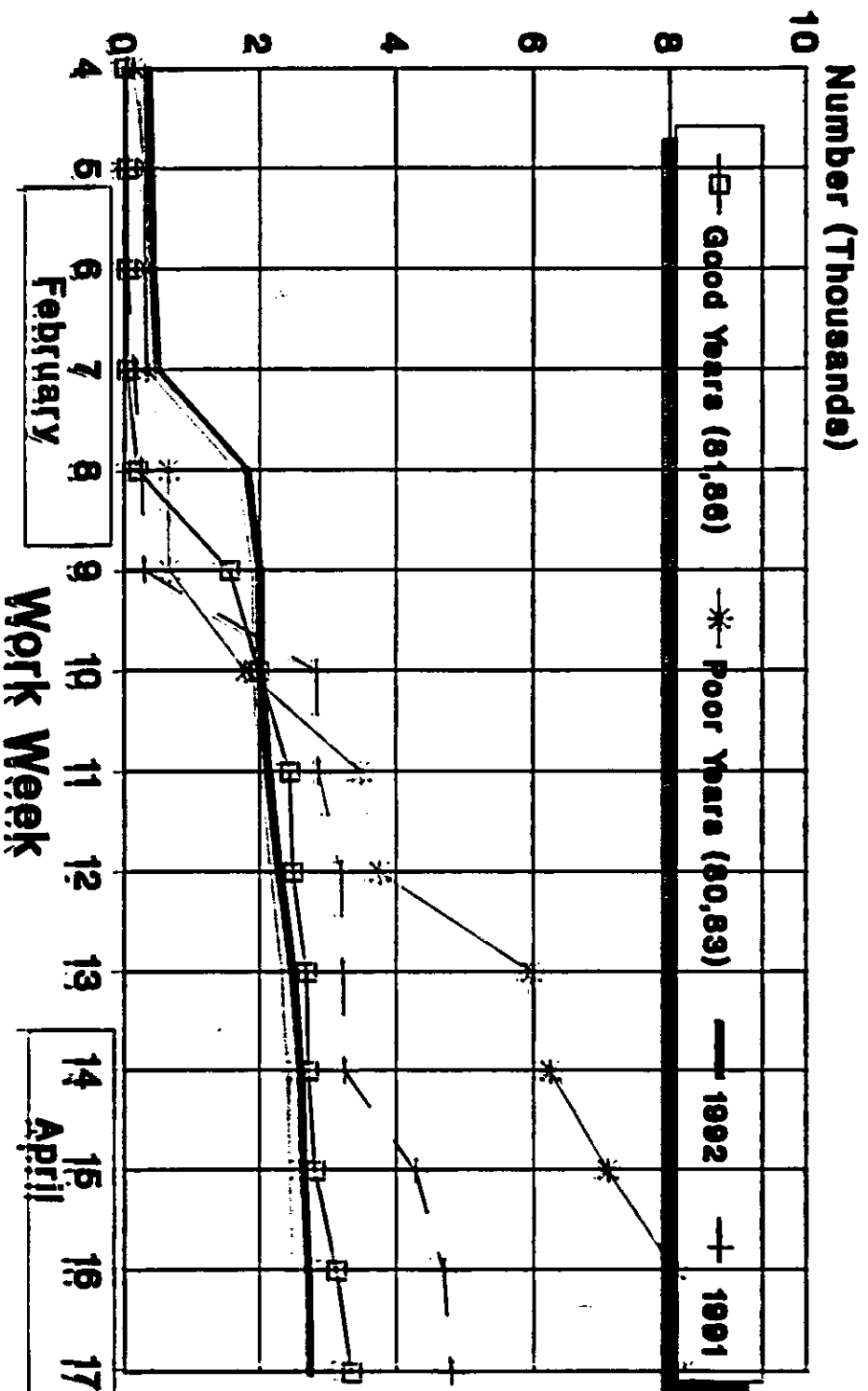
S. Barataria Bay Temperature



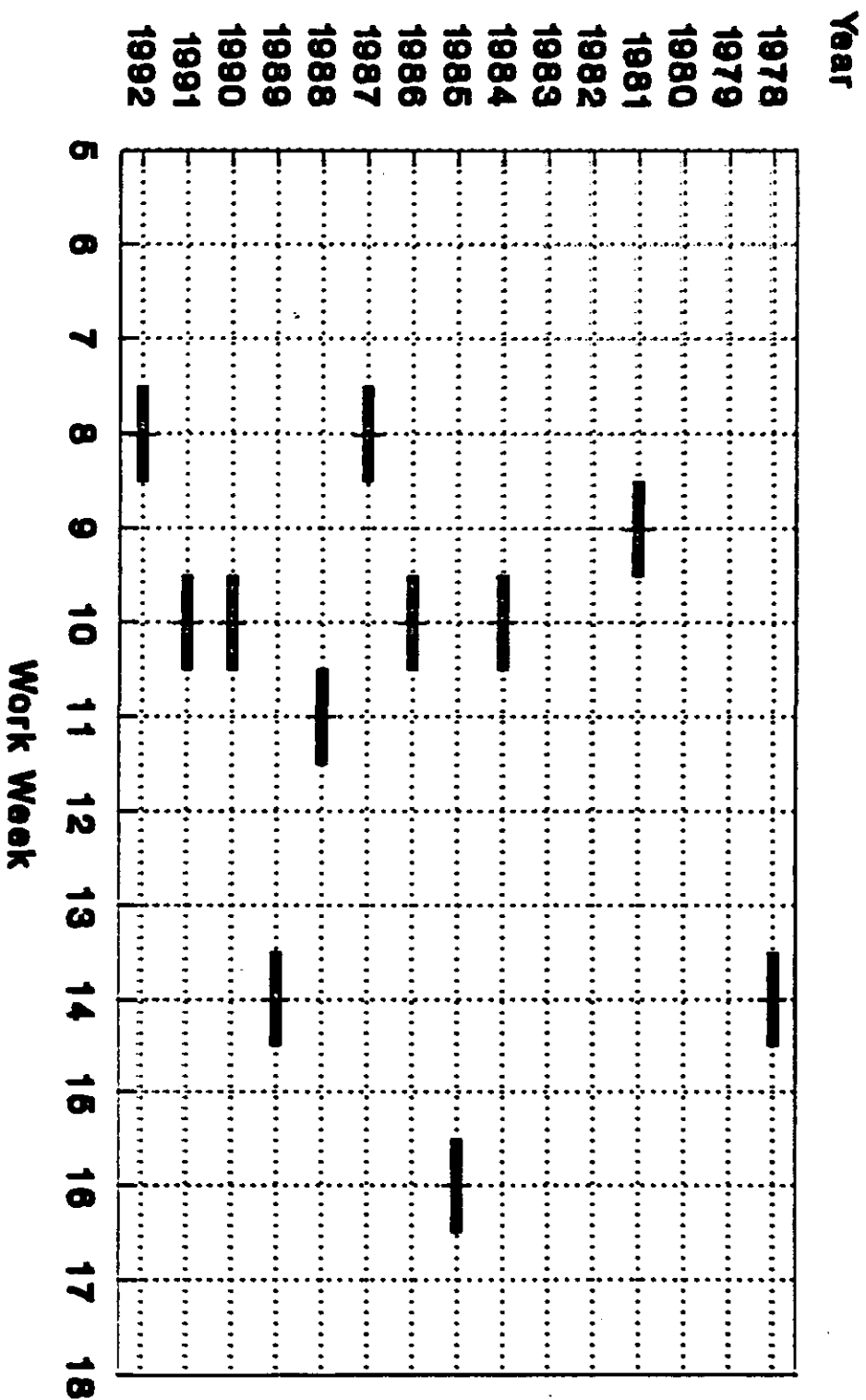
S. Bay Daily Water Temperature



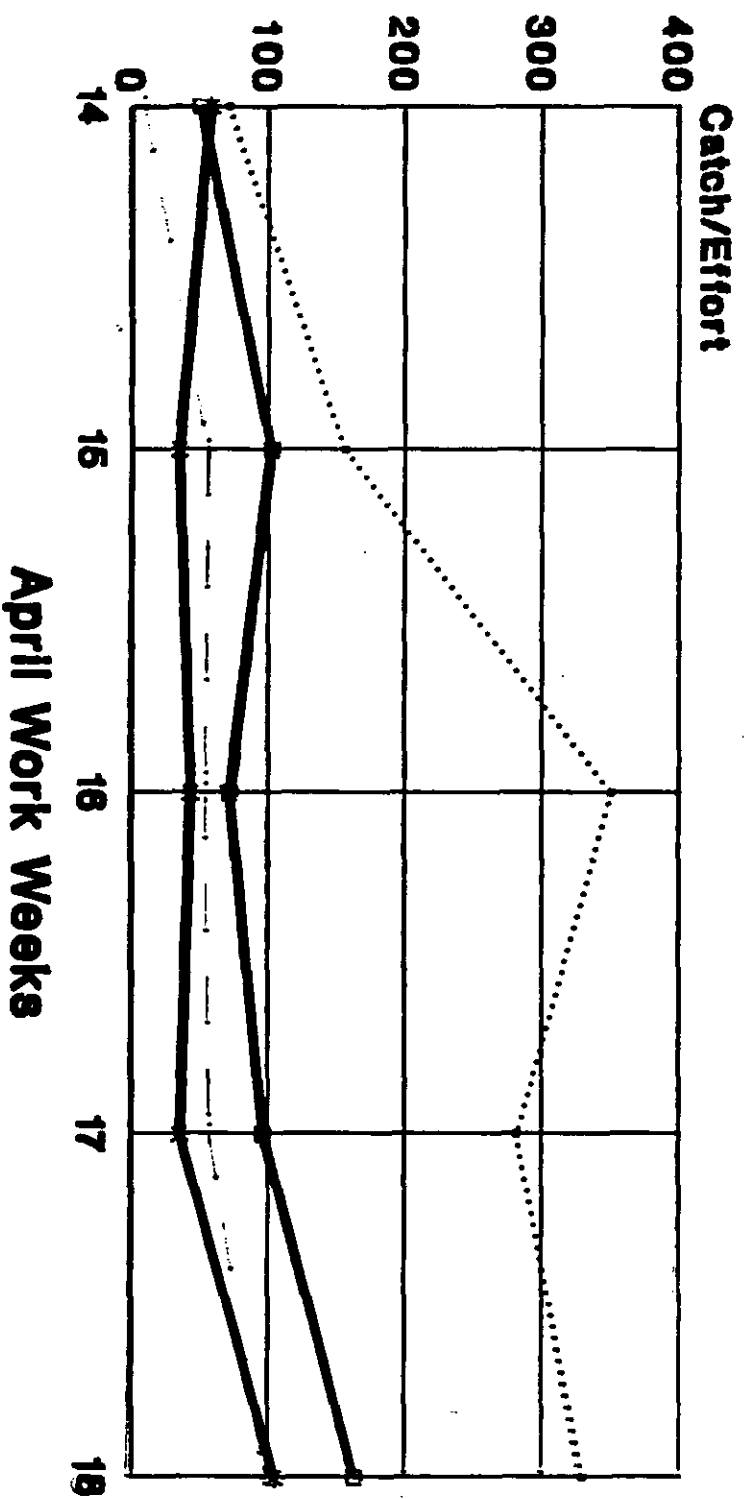
Cumulative Postlarval Catch Barataria Bay



Brown Shrimp Postlarvae **Median Week of Recruitment** **February - April, Coastal Area 3**



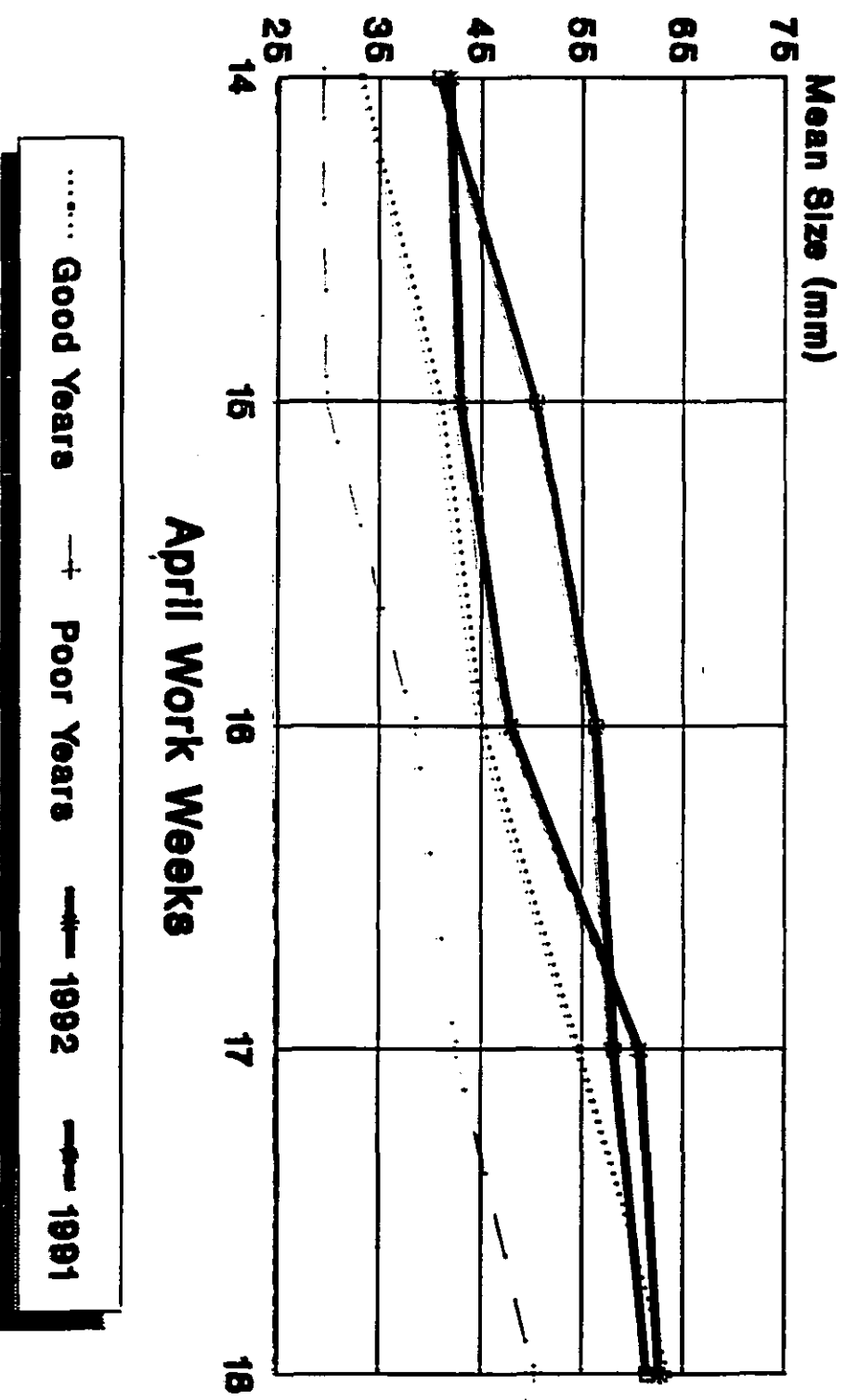
Brown Shrimp in 6' Trawls Barataria Bay



..... Good Years + Poor Years — 1992 — 1991

LDWF, 1992

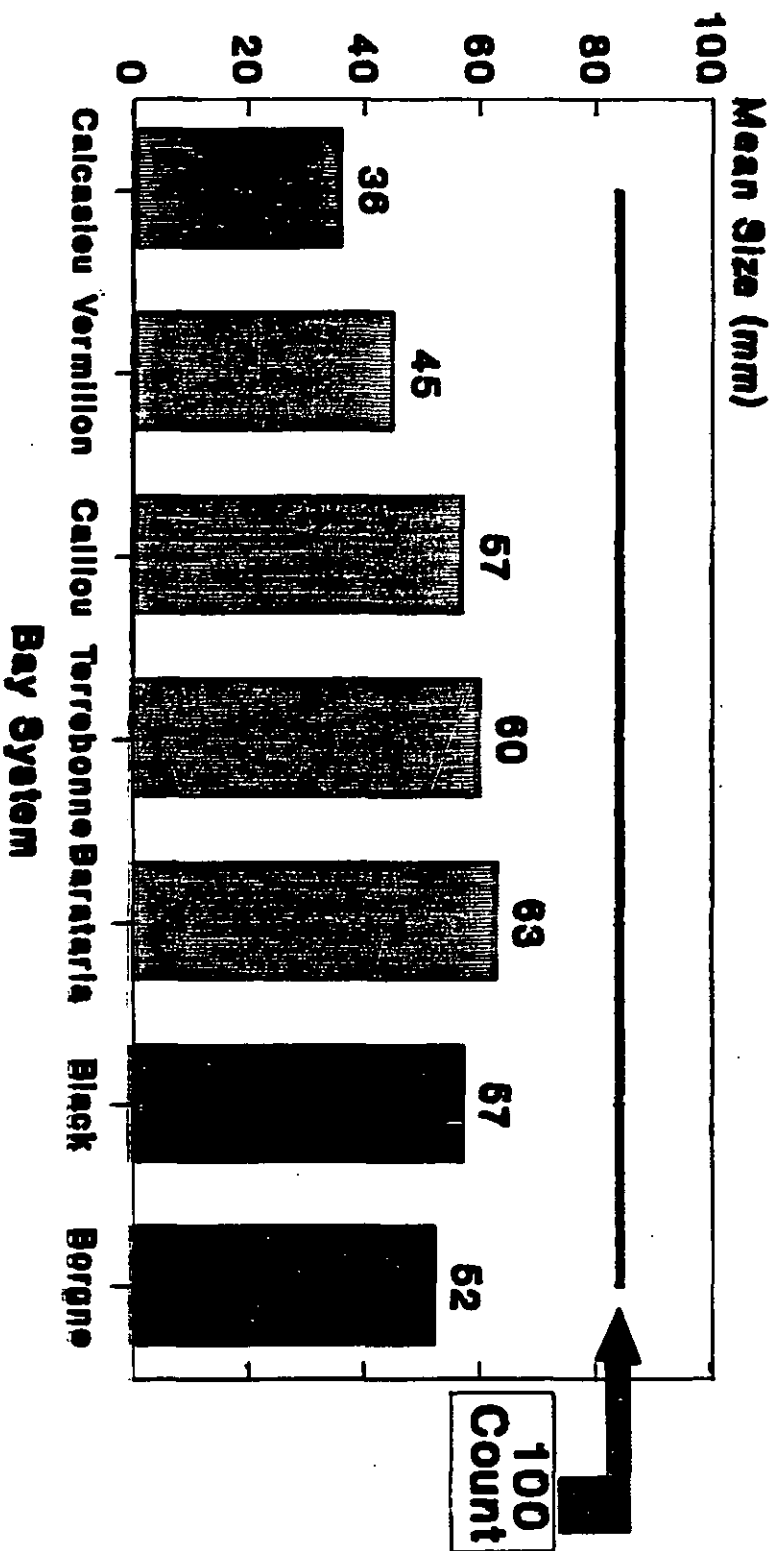
Brown Shrimp in 6' Trawls Barataria Bay



LDWF, 1992

Brown Shrimp Size

Week 18, 1992

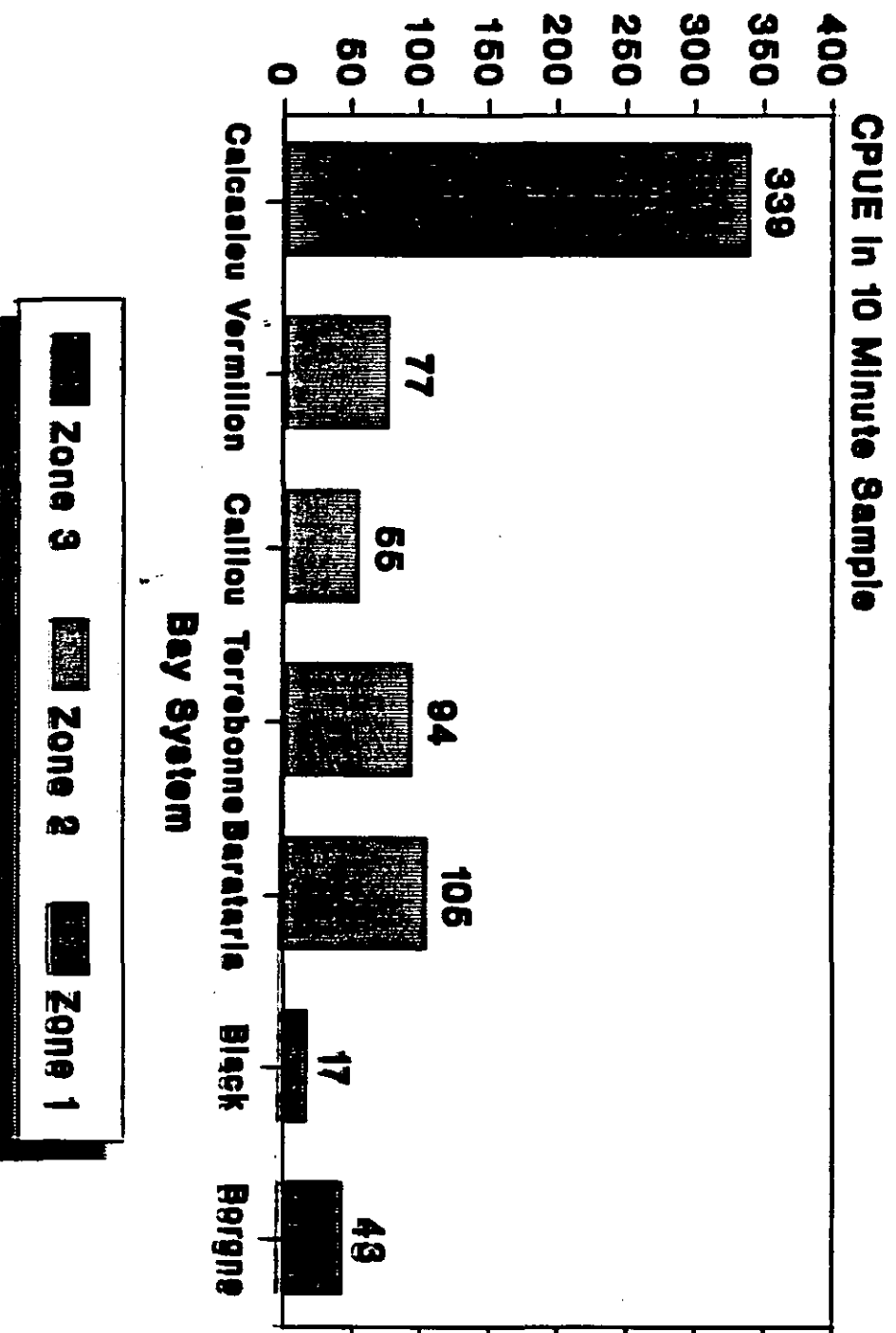


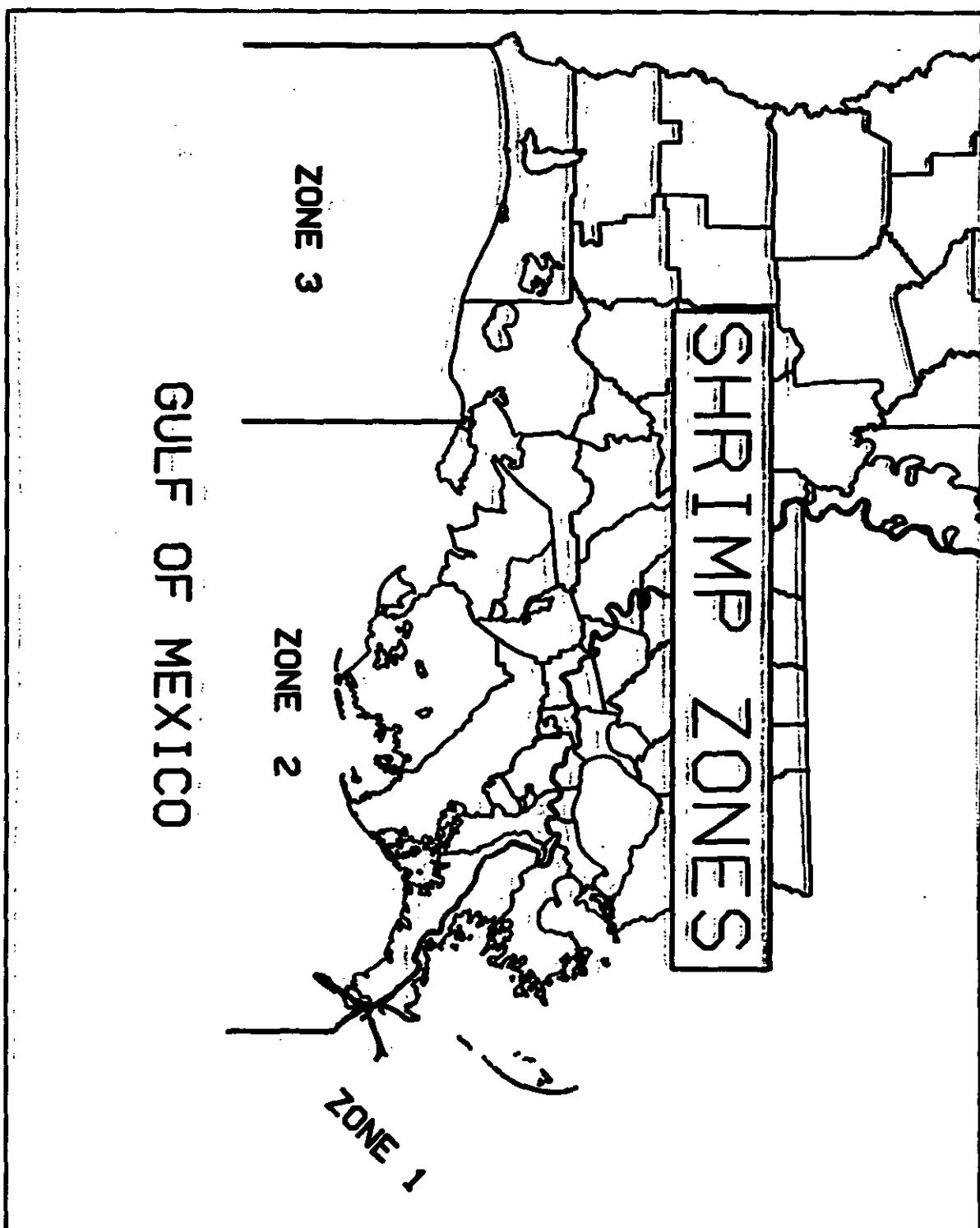
Zone 3 Zone 2 Zone 1

LDWF, 1992

Brown Shrimp Catch per Effort

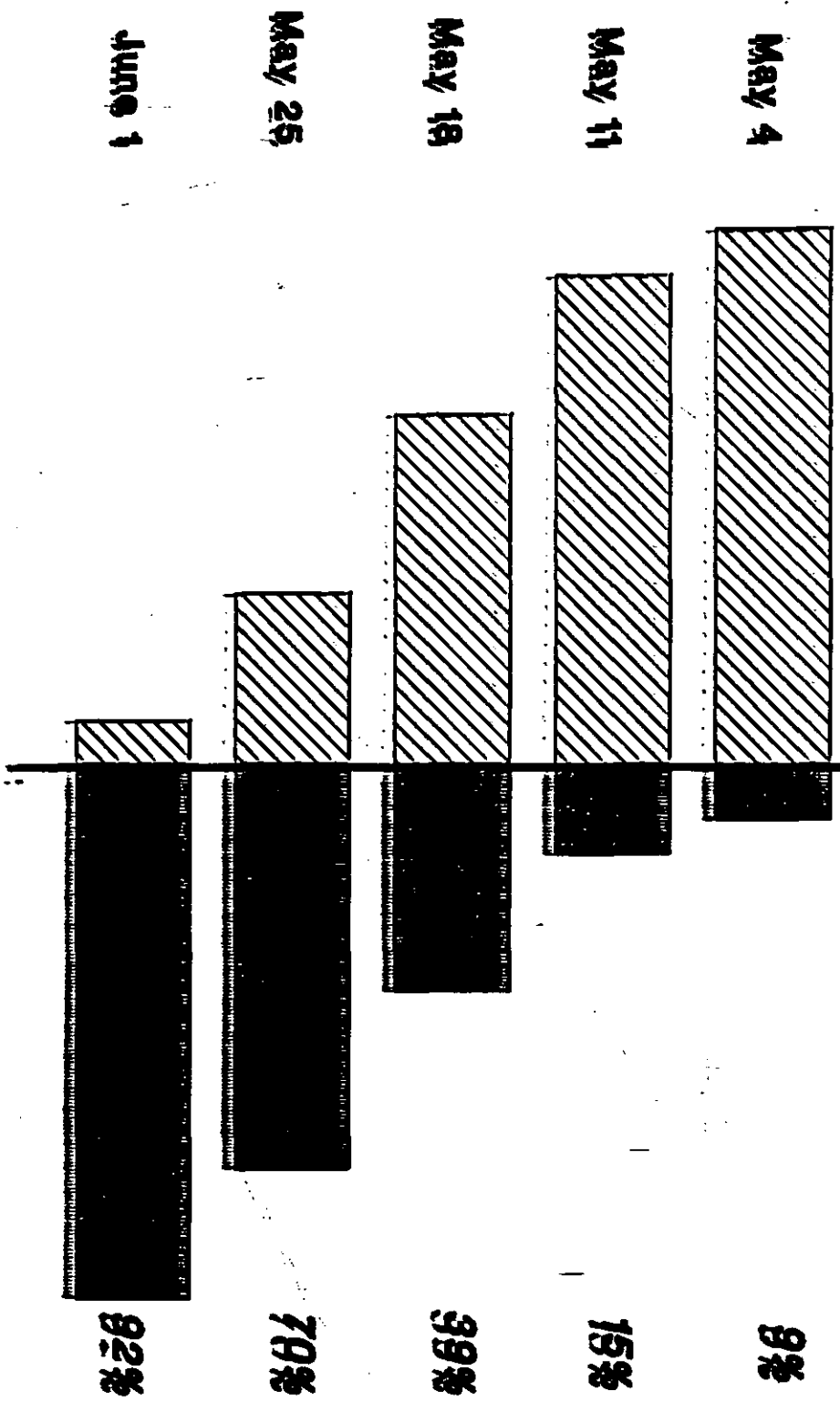
Week 18, 1992





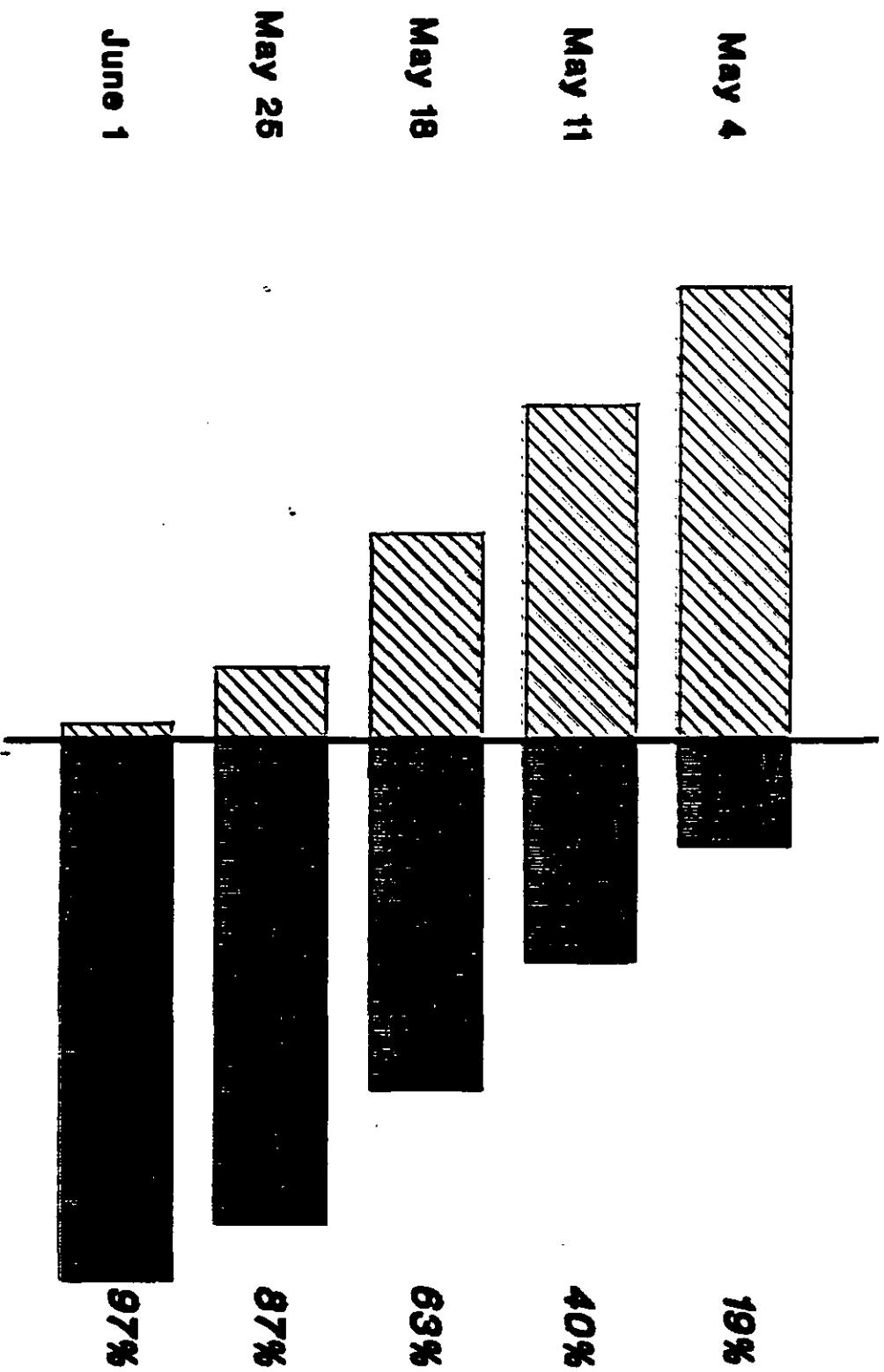
ZONE 1 1992

Percent
100 Count



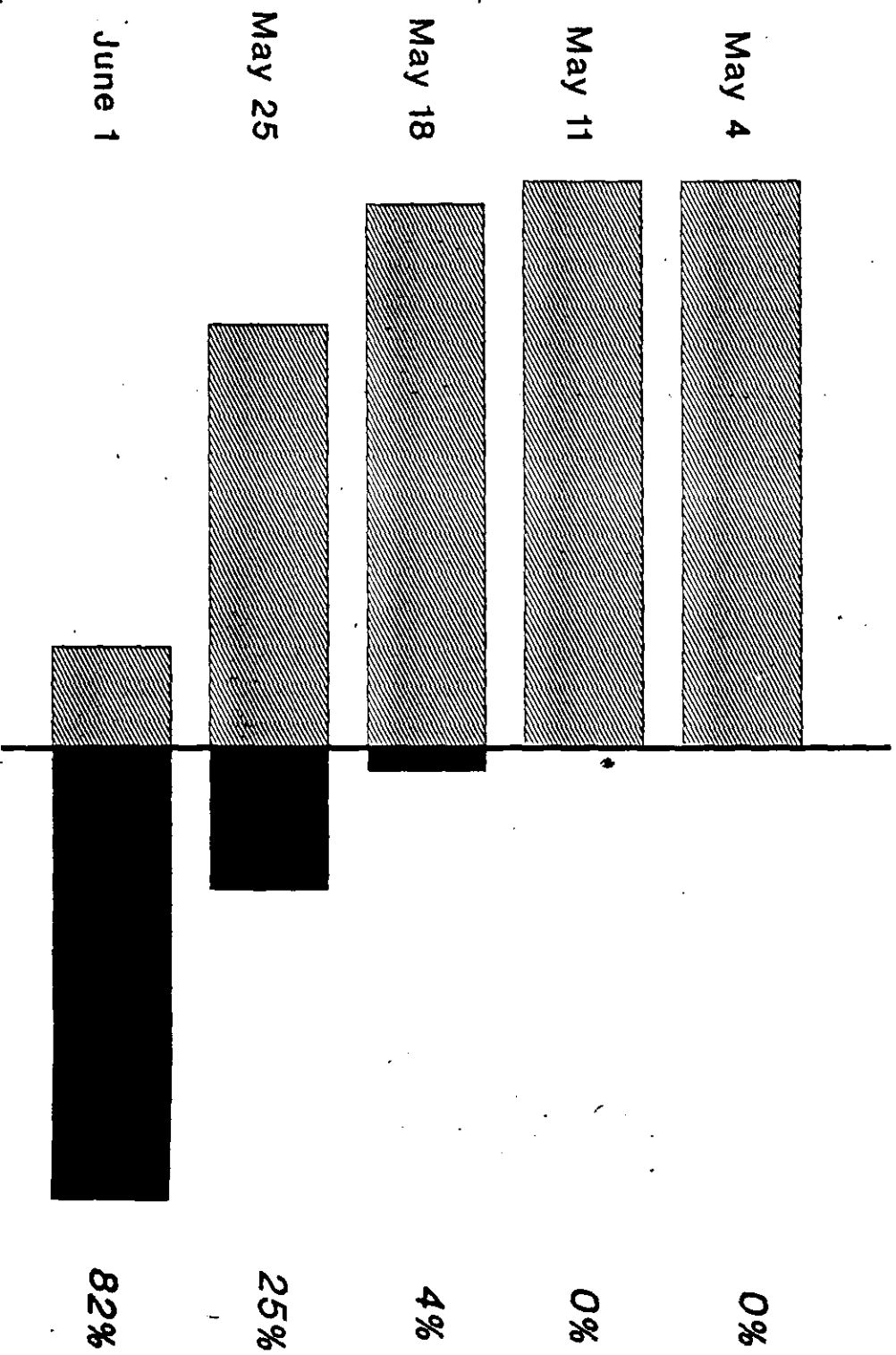
ZONE 2 1992

Percent
100 Count



ZONE 3 1992

Percent
100 Count



III

Jan 1

KEH
5/18
6/1

IV

May 18

Terrence

5/14

5/14

5/14

5/14

5/18

5/14

5/18

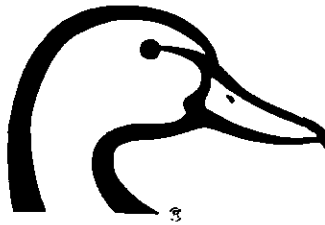
I

May 25

MSY

6/1
6/1
6/1

MONDAY



DUCKS UNLIMITED

Grand Forks Chapter

James H. Jenkins, Jr. Chairman
Louisiana Wildlife & Fisheries Comm.
P.O. Box 98000
Baton Rouge, LA 70898-9000

April 17, 1992

Dear Mr. Jenkins,

The North American Wildlife Foundations' "Adopt a Pothole Program" developing in the Devils Lake basin of North Dakota is off to a fast start. Landowners' interest and acceptance in the program is friendly and eager in contrast to other past programs to protect wetlands by other agencies and groups.

With the momentum building for the program, funding becomes very important for N.A.W.F. field staff. With the potential to sign up countless acres that have small wetlands and wetlands that can be recreated, along with the tripling of nesting cover, it would be unfortunate to have the program blunted for lack of sustaining revenue.

Seven years of drought, (three very severe), and the high risk and cost of farming, plus bleak commodity prices have farm operators looking for new choices. The "Adopt a Pothole Program" would fit a farmers' desire to square off cultivated fields with potholes that he has been farming around for years. By squaring off with nesting habitat the land returns income and simplifies farming cultivated fields.

All of us interested in the future of waterfowl in North America need to maximize the few opportunities available to put new, innovative programs in place that have lasting and progressive benefits.

"The Prairie Pothole Joint Venture" segment of the North American Waterfowl Management Plan has the greatest potential to quickly increase the duck population in North America, but the funding has been inadequate to achieve any meaningful results on the prairies.

The "Adopt a Pothole Program", in my view, is the best program available to landowners and waterfowl. I urge you and your group to financially support this program.

Sincerely yours,

George Newton
North Dakota Ducks Unlimited
Marsh Advisory Committee Chairman

225 Plain Hills Drive • Grand Forks, ND 58201

RECEIVED

APR 27 92

LA WILDLIFE & FISHERIES
OFFICE OF THE SECRETARY

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

April 24, 1992

Mr. James H. Jenkins, Jr.
Chairman, Louisiana Wildlife and Fisheries Commission
Post Office Box 15279
Baton Rouge, LA 70895

Dear Chairman Jenkins:

I appreciate you sending me a copy of your letter to Mr. Herring dated April 8, 1992. I certainly hope that the real purpose of your letter was to express your concerns regarding the Department's compliance with the statutory mandate of R.S. 56:301.7 relative to saltwater finfish license proceeds. This has been a grave concern of mine for the past two years. I would have preferred to focus on what I feel is an important and serious issue, however, since you also indicated that you were "troubled" by things I supposedly said, it would seem appropriate for me to address these first.

In your letter you fail to use quotation marks indicating direct quotes and you also fail to clearly identify what I supposedly said that troubles you, so I can only assume that the following excerpt from your letter describes what troubles you --- "Yet, the Commission is told by the person who is responsible for spending the other \$1.4 million that the creation of the Research Division is the reason that the monies cannot be accounted for. We are also told at the Commission meeting, that by getting rid of the Research Division, that this problem will be solved." --- Mr. Jenkins, I have listened to the tapes of the April Commission meeting six times and have also reviewed a verbatim written transcript and failed to find where this was said by anyone much less myself. It is certainly unfortunate that we each heard or understood something different, but if I am mistaken, please help me to understand what you heard. I did say that as a result of the reorganization, --- "there is no more Finfish Section" that "finfish activities are spread out between Marine Fisheries and Research Division", and "the only mechanism after that change was to charge expenditures to a specific project number." --- When the Finfish Section existed, it was a cost center (budget unit), the finfish revenues were set up as a means of financing that budget unit, and the monitoring of expenditures by that cost center was a clear straight forward mechanism for tracking compliance with the license dedication in R.S. 56:301.7. Once the section was abolished, the finfish revenues were no longer set up as an identifiable means of financing any one (or any number of) budget unit(s). Department personnel were simply instructed to charge finfish activities to a specific project number.

Also, if my initial assumption regarding the above excerpt is correct, you evidently identify me as --- "being responsible for spending the other \$1.4 million." --- Mr. Jenkins, I sure wish you would have notified me of this sooner, for this is the first time, since the Finfish Section has been abolished, that I have been notified, either verbally or in writing, that I have responsibility for expenditure of a set amount of finfish revenues. Finfish revenues are not set up as an identifiable means of financing within the budget of the Marine Fisheries Division. In fact, as a result of decisions made above me, the entire Marine Fisheries Division budget does not even contain \$1.4 million of Conservation Fund monies.

Now, lets get back to the larger more important issue, that being the Department's compliance with R.S. 56:301.7. First, lets review R.S. 56:301.7. It states in part --- "Proceeds from all recreational licenses issued are dedicated to the Conservation Fund... proceeds received from the sale of licenses issued for the taking of saltwater finfish shall be expended for the purpose of supporting research, management, and administration of saltwater finfish by the saltwater finfish section of the seafood division. Proceeds from all commercial licenses are dedicated to the Conservation Fund... proceeds received from the sale of licenses issued for the taking or selling of saltwater finfish shall be expended for the purpose of supporting research, management, and administration of saltwater finfish by the saltwater finfish section of the seafood division." - -- Even if you ignore the extensive administrative record which exists regarding this portion of Title 56, which includes a "Report To The Governor" by the Governor's Task Force on Saltwater Finfish Management, it appears clear to me that these revenues are mandated to be spent for specific activities by a distinct organizational unit within a division of the Department.

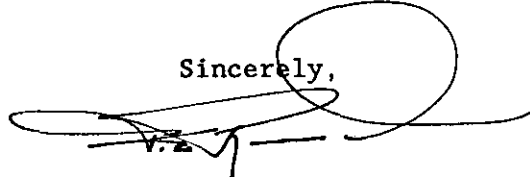
Since January 19, 1990 when I was first informed that the Department was considering abolishing the Finfish Section, I have repeatedly expressed my concerns regarding three aspects of such a change: (1) compliance with the statute, (2) the need to implement a clear straight forward mechanism to account for the license proceeds and (3) just as importantly, the need to be truthful and forthcoming with the finfish user groups. My personal daily logs indicate that on 8 different occasions between January 19, 1990 and October 2, 1990, while in meetings of high level Department personnel, I have reiterated these concerns. I am sure many Department personnel present at a number of different meetings can verify my repeated attempts to get the Department to recognize the finfish section mandate and license dedication provisions in R.S. 56:301.7. In addition, the Department files will verify that I encouraged the Department to address these concerns both by spelling out my concerns in writing and by submitting proposed legislation which would delete reference to a saltwater finfish section. Upper level Department personnel chose to ignore my concerns and also declined to submit the proposed legislation.

Mr. Jenkins, I have in the past and continue to have strong convictions regarding the Departments obligation to comply with this as well as any other statutory mandate regarding the dedication of license proceeds. I also have as strong convictions regarding the Departments obligation to be truthful and forthcoming with the recreational and commercial saltwater finfish user groups. It is unfortunate that in recent years I have been unable to convince the Department of the importance of being accountable both to the statute and to the user groups.

I am not as eager as some to point a finger and lay blame. I simply want the Department to be accountable. However, should there be an in depth investigation as you suggest, I offer my assistance as I have many personal notes of meetings regarding this particular issue which can be substantiated by other Department personnel who were present at these meetings.

I must say that my discussions with the new Department appointees have been refreshing in that they indicate that they are both willing and eager to be accountable. Maybe with your assistance and influence we can implement mechanisms to ensure accountability.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. E. Roussel', with a large, loopy flourish extending from the end of the signature.

John E. Roussel
Acting Administrator
Marine Fisheries Division

JER:kmv

cc: Joe Herring
Corky Perret
Fred Prejean
Karen Foote
Commission

New Orleans, St. Tammany, St. Bernard, East Jefferson

**EAST BANK
COMMERCIAL FISHERMEN'S ASSOCIATION**

And Other Parishes East of The Mississippi River

#11 Treasure Isle Slidell, La. 70461 [504]646-1954

May 7, 1992

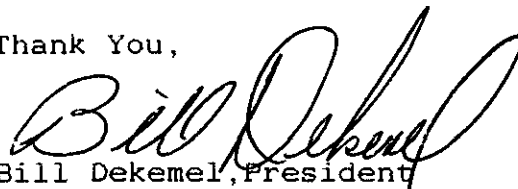
Good morning, Mr. Chairman, Commission members and ladies and gentlemen. My name is Bill Dekemel and I represent the East Bank Commercial Fisherman's Association which represents the views of most commercial fishermen east of the Mississippi and east of the Mississippi River Gulf outlet. Before I make our recommendation I would like to point out several unique characteristic relative to shrimp population dynamics and the shrimp fishery in Zone 1, in particular that portion of Zone 1 consisting of Lake Pontchartrain, Lake Borgne and the surrounding marsh areas or the area north and east of the MRGO.

Research by the Department of Wildlife and Fisheries and the National Marine Fisheries Service has shown shrimp exhibit different emigration patterns in different areas of the state. This was first identified by the Department of Wildlife and Fisheries in the early 1970's and reported by Gaidry and White in their report "The Investigation of Commercially Important Penaeid Shrimp in Louisiana Estuaries". This research was refined by Mrs. White and Boudreaux in their 1977 report "Development of an Area Management Concept for Gulf penaeid Shrimp". In fact, as a result of Mrs. White and Boudreaux's work, Louisiana was divided into three Shrimp Management Zones which has been successfully used by the Department of Wildlife and Fisheries to manage shrimp and to set seasons and closures and still remains in effect today. Shrimp tagging and recapture work conducted by the Department and the National Marine Fisheries Service during the 1970's and 1980's provides additional evidence that the zone concept was correct and that shrimp have a different emigration pattern in Zone 1 when compared to Zone 2. In Zone 2 the tagging data reveals that when brown shrimp reach approximately 80 count (whole shrimp per pound) they begin leaving the inside waters. This is the primary reason fishermen from Zone 2 want an early opening or the season opened when 50% of the shrimp reach 100 count. This management criteria provides opportunities for the inshore fishing in Zone 2 and is reasonably suited for the shrimp processing industry in that area which is primarily a drying and peeling industry.

In Zone 1 however, shrimp do not leave the inside waters at 80 count. Tagging data by the Department has shown shrimp tagged and released in Lake Borgne and Lake Pontchartrain stayed in the same general area for as long as 70 days and increased in size from over 100 count to 30 count. Additionally the industry in that portion of Zone 1 is geared to a larger more valuable shrimp which is mostly marketed directly to the seafood shops, restaurants and individuals in the metro area as a fresh head on product. Based upon this information which is all documented by the Department of Wildlife and Fisheries, the tagging study and the fact that although the shrimp in Zone 1 may be 50% 100 count after May 25, the rest of the crop which is at least 50% will be much smaller than 100 count and not considered marketable. We do not think that we should sacrifice one half of our crop to catch 100 count shrimp.

At this time the East Bank Commercial Fisherman's Association recommends the 1992 spring inshore shrimp season in Zone 1 open at 6:00 A.M. on June 1, 1992.

Thank You,

A handwritten signature in cursive script, appearing to read "Bill Dekemel".

Bill Dekemel, President

WJD/bd

Hunting Preserves Using Mallards in Louisiana
A Brief Summary

As waterfowl hunting regulations have become more restrictive, some groups have attempted to use pen-reared mallards to supplement wild duck hunting. Two broad approaches have been used to date in the U.S.: (1) Direct releases of pen-reared, free-flighted mallards into natural wetlands. These birds are then harvested during the regular duck season without regard to daily bag limits. The U.S. Fish and Wildlife Service will likely not continue to permit this type operation because of repeated conflicts with "decoying" and "baiting" regulations. Federal regulations (CFR 21:13) governing this type shoot are currently being reviewed with changes anticipated in FY 93. (2) Tower shoots/controlled shoots, when mallards are released in a controlled fashion to proceed over positioned shooters. It is estimated that 20% of ducks released in this manner are subsequently not accounted for. The baiting and decoying concerns mentioned above are also relevant here.

The Louisiana Department of Wildlife and Fisheries has consistently been opposed to direct releases as well as tower shoots near wetland habitats. Our primary reason for this position is the potential transfer of infectious diseases to wild populations resulting from wild ducks mixing with pen-reared ducks. In Louisiana, where 5 million ducks winter, any significant disease outbreak could be devastating to the continental population. In Maryland, where over one million mallards have been released in the past 10 years, waterfowl disease outbreaks, particularly duck plague, have become much more common. The attached Mississippi Flyway Council resolution provides a concise summary of additional reasons of concern. The Central Flyway Council has also adopted a similar resolution.

The Louisiana Department of Wildlife and Fisheries has not opposed tower

shoots in geographic areas/habitat types where the potential for interaction with wild ducks is minimal. Our licensing of hunting preserves using mallards has been consistent with this position to date. Eight requests for shooting preserves were received in 1991-92. Only 3 of these have been licensed. One of these clubs (Twin Silos) was denied a license when the proposed site was Cat Island Swamp in West Feliciana Parish, where significant numbers of wild ducks winter. He reapplied 6 months later after another site in upland pine/hardwoods was located 20 miles from his initially proposed location. His license was approved this second time. The 5 sites that were not approved were near or in wetlands where wild birds could be attracted to pen-reared stock or pen-reared stock to wild ducks. The following list provides information on applicants requesting shooting preserve licenses using mallards through April, 1992.

<u>Applicant Name</u>	<u>Date</u>	<u>Location</u>	<u>Disposition</u>
Ruf Kut Hunting Preserve	6/90	Greenwell Springs	Lic. approved
Envir. Group of America	9/91	Houma	Lic. denied
Twin Silos Hunting Lodge #1	5/91	St. Francisville	Lic. denied
Twin Silos Hunting Lodge #2	11/91	Jackson	Lic. approved
High Point Shooting Grounds	8/91	Belle Chasse	Lic. denied
American Hunter	11/91	Covington	Lic. approved
George V. Geffen	11/91	Lacombe	Lic. denied
Ace Hunting Club	4/92	Forked Island	Lic. denied

MISSISSIPPI FLYWAY COUNCIL

MISSISSIPPI FLYWAY COUNCIL



1952

Recommendation No. 7

Subject: Resolution in opposition to pen reared waterfowl releases into the wild.

Recommendation: That the Council adopt the attached resolution that opposes the release of game farm waterfowl into the wild and would further encourage each of its member states to enact regulations to prevent this practice.

Justification: There is a high potential for interaction of pen reared waterfowl released in natural wetlands with wild waterfowl. There is also a corresponding high potential for exchange of infectious diseases between these 2 groups as numerous propagation facilities have experienced significant losses from duck plague and other diseases. There is an apparent increasing interest in this practice and money and energy expended upon propagation programs may dilute efforts toward solving the real problems facing waterfowl, such as those specified in the NAWMP. Adoption of this resolution would clearly express the Council's position on this issue.

Action:

Approved by the Technical Section

18 February 1989 Date

Approved by the Council

20 March 1989 Date

WHEREAS, waterfowl populations have declined to record low numbers in the 1980's and game farm waterfowl releases into the wild have been perceived by some as a viable management practice to offset decreasing wild populations, and

WHEREAS, energies and money expended for propagation programs may dilute the efforts toward solving the primary problems of habitat loss and deterioration, and,

WHEREAS, significant mortality from duck plague and other infectious diseases that affect wild waterfowl has occurred among most game farm waterfowl propagation facilities in the U.S. and

WHEREAS, the potential for interaction of pen-reared waterfowl released into wetlands with wild waterfowl is high, and

WHEREAS, duck plague and other diseases of captive waterfowl have caused large-scale mortality among wild waterfowl, and

WHEREAS, there are concerns about the effects of game farm mallard releases on the gene pool of wild mallard and black duck populations, and

WHEREAS, releases of game farm waterfowl have resulted in local hunting season closures due to live decoy regulations, and

WHEREAS, the MFC concludes that the release of game farm waterfowl into the wild is not a wise management practice and that the risk provides very limited return, and

THEREFORE, BE IT RESOLVED, that the MFC does hereby oppose the release of game farm waterfowl into the wild and concludes that this practice is not compatible with sound waterfowl management, and

Be it further resolved that the MFC encourages each of its member states to enact regulations to prevent this practice.

Remarks by Darrell W. Hunt on behalf of the
Louisiana Nature Conservancy

May 7, 1992

Mr. Chairman, Mr. Secretary, and Members of the Commission. Good Afternoon. My name is Darrell Hunt, and I am here today on behalf of the Louisiana Nature Conservancy. You have a full agenda, so I will keep my remarks brief.

I'm here today to express the Nature Conservancy's support for full funding of the Natural Heritage Program, as well as the Department's commitment to this and its various "non game" programs. There are several good reasons why the Department should do both of these things.

Along with every other state and country of the world, Louisiana stands today at a crossroads. The extinction of plant and animal species due to human activity is occurring at a pace never witnessed in human history. The decisions we make today will determine not whether or not species will become extinct, for they will, but to what extent we can slow this process in the hopes one day of stopping it.

The Natural Heritage Program is critical to slowing or preventing species destruction, which is why Louisiana and the other 49 states have such programs.

In addition, the Natural Heritage Program is a valuable economic development tool. In short, businesses save time and money by researching critical habitat areas before pursuing economic development activities that might impact these areas. Without the Natural Heritage Program, there would be no sound method for determining what areas in Louisiana fall into the category of "critical habitat."

And finally, the Department's traditional constituencies are declining in number, witness the decreasing number of fishing and hunting licenses sold each year. For good or bad, the budget game played at the capital each year is won largely by those interest groups that can exert the most pressure on our elected officials. Unless the department takes steps to increase its constituents, it will become a net loser in the state's annual budget games.

The Department of Wildlife and Fisheries should be scrambling to develop new constituencies to supplement its traditional ones in order to maintain current funding levels. This may cause discomfort for some because the Department's new constituents aren't likely to be hunters

and fishermen, but their love and appreciation of nature is no less profound.

It is time we begin addressing the broad concerns and interests of these new constituents with the same commitment we have shown over the years to hunters and fishermen. The Natural Heritage Program and the non-game programs are a step in the right direction.

Thank you.

AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION NEW ORLEANS, LA May 7, 1992

- ✓1. Roll Call
- ✓2. Approval of Minutes of April 2, 1992
- ✓3. Safari Club International Agent of the Year Award - Bill Simmons
- ✓4. Resolution/Emergency Declaration on Setting the Spring Inshore Shrimp Season - John Roussel
- ✓5. Resolution/Notice of Intent to Establish Regulations for Waterfowl Tower Shooting - Robert Helm
- ✓6. Repromulgation of Seismic Rules - Karen Foote
- ✓7. Crab Trap Issue - Tee John Mialjevich - *allow shrimp trap force to make regulation*
- ✓8. Discussion of the Habitat Conservation Division - Bert Jones
- ✓9. Discussion of Redfish Report - Jeff Schneider
- ✓10. ~~Public Comments on 1992-93 Hunting Seasons~~ *Public Comment on*
- ✓11. ~~Update on Civil Restitutions~~ - Wynnette Kees *Reg*
- ✓12. Monthly Law Enforcement Report/April - Winton Vidrine
- ✓13. Secretary's Report to the Commission - Joe Herring
14. Set August Meeting Date
15. Public Comments

*Paul Hunt - natural Conservation
support for Habitat Conservation*

*Mike Gilly
38-357-9000
855-9410
3344
Mike Gilly
PO BOX 34
Natchitoches
71458*

RESOLUTION

LOUISIANA WILDLIFE AND FISHERIES COMMISSION LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

- WHEREAS, authority to establish requirements for Hunting Preserves is vested with the Louisiana Wildlife and Fisheries Commission in accordance with R.S. 56:651, and
- WHEREAS, wild duck hunting regulations have become very restrictive and correspondingly, requests for Hunting Preserves using mallards have increased dramatically the past 2 years, and
- WHEREAS, the Louisiana Department of Wildlife and Fisheries has health concerns related to interaction of released mallards and pheasants with wild waterfowl and wild turkeys, respectively, and
- WHEREAS, the Louisiana Department of Wildlife and Fisheries has additional enforcement concerns regarding mallard releases into the wild, and
- WHEREAS, the existing regulations governing Hunting Preserves are inadequate to protect wildlife resources, particularly waterfowl and wild turkeys, now
- THEREFORE, BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby authorize and delegate to the Secretary of the Department of Wildlife and Fisheries, the authority to take and all necessary steps on behalf of the Commission to promulgate the effectuate this Notice of Intent and the final rule, including but not limited to the filing of the Fiscal and Economic Impact Statements, the filing of the Notice of Intent and preparation of reports and correspondence to other agencies of government.

James H. Jenkins, Jr.
Chairman

Joe L. Herring
Secretary

May 7, 1992

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

RESOLUTION

MAY 7, 1992

Adopted by the Wildlife and Fisheries Commission at its regular meeting on May 7, 1992 in New Orleans, Louisiana, relative to the 1992 spring inshore shrimp season.

- WHEREAS, R.S. 56:497 provides that the Wildlife and Fisheries Commission shall fix no less than two open shrimp seasons each year for all inside waters, and
- WHEREAS, R.S. 56:497 further states these shrimp seasons shall be opened by Zone, and
- WHEREAS, R.S. 56:497 further states these shrimp seasons shall be based upon biological and technical data, and
- WHEREAS, the Wildlife and Fisheries Commission has reviewed in public hearing the biological and technical data presented by the Department of Wildlife and Fisheries on shrimp populations and environmental conditions present in Louisiana's coastal waters during the spring of 1992, and
- WHEREAS, the Wildlife and Fisheries Commission has received public testimony relative to this biological and technical data as well as other factors relative to the 1992 spring inshore shrimp season, now

THEREFORE BE IT RESOLVED, the Wildlife and Fisheries Commission does hereby:

1. Set the 1992 spring inshore shrimp season to open as follows:
 - a. In Zone 1, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the Louisiana/Mississippi state line to South Pass of the Mississippi River at 6:00 a.m. on May ____, 1992, and
 - b. In Zone 2, that portion of Louisiana's inside waters, as described in R.S. 56:945, from South Pass of the Mississippi River to the western shore of Vermilion Bay and Southwest Pass at Marsh Island at 6:00 a.m. on May ____, 1992, and
 - c. In Zone 3, that portion of Louisiana's inside waters, as described in R.S. 56:945, from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Louisiana/Texas state line at 6:00 a.m. on May ____, 1992.

2. Authorize and empower the Secretary of the Department of Wildlife and Fisheries to set special white shrimp seasons, to change the opening date or close the 1992 spring inshore shrimp season in any area or Zone when the Marine Fisheries Division certifies that the biological and technical data indicates the need to do so.

James H. Jenkins, Jr.
Chairman

Joe L. Herring
Secretary

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

Joe L. Herring
Secretary



CONTACT
(504) 765-2923

92-75/ADDITIONAL AMENDED COPY

5/4/92

COMMISSION HOLDS MAY MEETING

The Louisiana Wildlife and Fisheries Commission will hold the annual public hearing on the spring inshore shrimp season Thursday, May 7, 1992 at 9 o'clock a.m. The hearing will be held at the University of New Orleans University Center on Lakeshore Drive at Elysian Fields Avenue.

Later the same day at 1 o'clock p.m. at the same location, the commission will hold the next regular public board meeting. The commission meeting agenda follows:

1. Roll call
2. Approval of Minutes of April 2, 1992 commission meeting
3. Safari Club International Agent of the Year Award
4. Crab trap issue
5. Discussion on the Habitat Conservation Division
6. DISCUSSION OF REDFISH REPORT
7. Resolution/Emergency Declaration on setting the spring inshore shrimp season
8. Hunting preserve Notice of Intent to establish regulations for waterfowl tower shooting
9. REPROMULGATION OF SEISMIC RULES
10. Public comments on 1992-93 hunting seasons
11. Update on Civil Restitutions *Apr. 1*
12. Monthly Law Enforcement Report/~~March~~
13. Secretary's Report to the Commission
14. Set August meeting date
15. Public comments

Louisiana Department of Wildlife and Fisheries

NEWS RELEASE

Joe L. Herring
Secretary



CONTACT
(504) 765-2923

92-75

4/30/92

COMMISSION HOLDS MAY MEETING

The Louisiana Wildlife and Fisheries Commission will hold the annual public hearing on the spring inshore shrimp season Thursday, May 7, 1992 at 9 o'clock a.m. The hearing will be held at the University of New Orleans University Center on Lakeshore Drive at Elysian Fields Avenue.

Later the same day at 1 o'clock p.m. at the same location, the commission will hold the next regular public board meeting.

The commission meeting agenda follows:

1. Roll call
2. Approval of Minutes of April 2, 1992 commission meeting
3. Safari Club International Agent of the Year Award
4. Crab trap issue
5. Discussion on the Habitat Conservation Division
6. Resolution/Emergency Declaration on setting the spring inshore shrimp season
7. Hunting preserve Notice of Intent to establish regulations for waterfowl tower shooting
8. Update on Civil Restitutions
10. Monthly Law Enforcement Report/March
11. Secretary's Report to the Commission
12. Set August meeting date
13. Public comments

May 1, 1992

NEWS RELEASE

Approved 

AMENDED AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held at 1:00 P.M. on Thursday, May 7, 1992, at the University Center in New Orleans, Louisiana, UNO Campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission at the same location.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of April 2, 1992 Commission meeting
3. Safari Club International Agent of the Year Award
4. Crab Trap Issue
5. Discussion of the Habitat Conservation Division
6. Discussion of Redfish Report
7. Resolution/Emergency Declaration on Setting the Spring Inshore Shrimp Season
8. Hunting Preserve Notice of Intent to Establish Regulations for Waterfowl Tower Shooting
9. Repromulgation of Seismic Rules
10. Public Comments on 1992-93 Hunting Seasons
11. Update on Civil Restitutions
12. Monthly Law Enforcement Report/March
13. Secretary's Report to the Commission
14. Set August Meeting Date
15. Public Comments

May 1, 1992

NEWS RELEASE

Approved 

AMENDED AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held at 1:00 P.M. on Thursday, May 7, 1992, at the University Center in New Orleans, Louisiana, UNO Campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission at the same location.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of April 2, 1992 Commission meeting
3. Safari Club International Agent of the Year Award
4. Crab Trap Issue
5. Discussion on the Habitat Conservation Division
6. Discussion of Redfish Report
7. Resolution/Emergency Declaration on Setting the Spring Inshore Shrimp Season
8. Hunting Preserve Notice of Intent to Establish Regulations for Waterfowl Tower Shooting
9. Public Comments on 1992-93 Hunting Seasons
10. Update on Civil Restitutions
11. Monthly Law Enforcement Report/March
12. Secretary's Report to the Commission
13. Set August Meeting Date
- ~~13~~¹⁴. Public Comments

April 27, 1992

NEWS RELEASE

Approved 

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held at 1:00 P.M. on Thursday, May 7, 1992, at the University Center in New Orleans, Louisiana, UNO Campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission at the same location.

The following will be on the agenda:

1. Roll Call
2. Approval of Minutes of April 2, 1992 Commission meeting
3. Safari Club International Agent of the Year Award
4. Crab Trap Issue
5. Discussion on the Habitat Conservation Division
6. Resolution/Emergency Declaration on Setting the Spring Inshore Shrimp Season
7. Hunting Preserve Notice of Intent to Establish Regulations for Waterfowl Tower Shooting
8. Public Comments on 1992-93 Hunting Seasons
9. Update on Civil Restitutions
10. Monthly Law Enforcement Report/March
11. Secretary's Report to the Commission
12. Set August Meeting Date
13. Public Comments

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

April 24, 1992

MEMORANDUM

TO: Chairman and Members of Commission
FROM: Joe L. Herring, Secretary *JLH*
RE: May Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 1:00 P.M. on Thursday, May 7, 1992, at the University Center in New Orleans, Louisiana, UNO Campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

The following will be on the agenda:

1. Approval of Minutes of April 2, 1992
2. Safari Club International Agent of the Year Award

TEE JOHN MIALJEVICH

3. Crab Trap Issue

BERT JONES

4. Discussion of the Habitat Conservation Division

CORKY PERRET

5. Resolution/Emergency Declaration on Setting the Spring Inshore Shrimp Season

LEE CAUBARREAU

6. Shooting Preserves Notice of Intent to Establish Regulations for Waterfowl Tower Shoots
7. Public Comments on 1992-93 Hunting Regulations

Commission Meeting
Page 2
April 24, 1992

FRED PREJEAN

8. Update on Civil Restitutions

WINTON VIDRINE

9. Monthly Law Enforcement Report/March

JOE L. HERRING

10. Secretary's Report to the Commission
11. Set August Meeting Date

PUBLIC COMMENTS

JLH:sb

C: Clyde Kimball
Fred Prejean
Lee Caubarreux
Corky Perret
Don Puckett
John Medica
Division Chiefs

★ Add

Seismic
State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

April 24, 1992

M E M O R A N D U M

TO: Chairman and Members of Commission
FROM: Joe L. Herring, Secretary *[Signature]*
RE: May Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 1:00 P.M. on Thursday, May 7, 1992, at the University Center in New Orleans, Louisiana, UNO Campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

The following will be on the agenda:

1. Approval of Minutes of April 2, 1992
2. Safari Club International Agent of the Year Award

TEE JOHN MIALJEVIC

3. Crab Trap Issue

BERT JONES

4. Discussion of the Habitat Conservation Division

CORKY PERRET

5. Resolution/Emergency Declaration on Setting the Spring Inshore Shrimp Season

LEE CAUBARREAU

6. Shooting Preserves Notice of Intent to Establish Regulations for Waterfowl Tower Shoots
7. Public Comments on 1992-93 Hunting Regulations

Commission Meeting
Page 2
April 24, 1992

FRED PREJEAN

8. Update on Civil Restitutions

WINTON VIDRINE

9. Monthly Law Enforcement Report/March

JOE L. HERRING

10. Secretary's Report to the Commission
11. Set August Meeting Date

PUBLIC COMMENTS

JLH:sb

C: Clyde Kimball
Fred Prejean
Lee Caubarreaux
Corky Perret
Don Puckett ✓
John Medica
Division Chiefs

12. Repromulgation of Seismic
Rules

RECEIVED

LA. DEPARTMENT OF
WILDLIFE & FISHERIES

APR - 6 1992

ASSISTANT SECRETARY
OFFICE OF FISHERIES

State of Louisiana



Worky
Copy to: Bennie F.
John R.
Karen F.

4/7/92 cs

Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 2, 1992

Feb
Edwin W. Edwards
Governor

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

1) Setting of the Spring Inshore Shrimp Season

Sharyn,

Brad Smith called from Monroe. The Safari Club International would like to make the Agent of the Year award at the New Orleans Commission meeting.

In the past few years there has been a problem with this.

I promised Brad we would put it right after the approval of the minutes so the people could make the award and leave.

"Safari Club International Agent of the Year Award" is how it should appear on the agenda.

Thanks!

Paula

If there is any problem with this, please let Brad know

Bill Simmons / Stew Russell

95th annual

6-7

*Ken Aycock's wife will
receive this for him*

Present

(on)

253-4418

*Steve Dunn
State Representative*

RECEIVED

LA. DEPARTMENT OF
WILDLIFE & FISHERIES

APR - 6 1992

ASSISTANT SECRETARY
OFFICE OF FISHERIES

State of Louisiana



Department of Wildlife and Fisheries

Post Office Box 98000

Baton Rouge, LA 70898-9000

(504) 765-2800

April 2, 1992

Joe L. Herring
Secretary

Edwin W. Edwards
Governor

Corky
Copy to: ✓ Bennie F.
John R.
Karen F.

4/7/92 csg

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

Dear Corky:

*I have no items
for the May Commission*

meeting agenda I have

RECEIVED
LA. DEPT. WILDLIFE & FISHERIES
APR - 7 1992

FISH DIVISION

Bennie

RECEIVED
LA. DEPARTMENT OF
WILDLIFE & FISHERIES

APR - 6 1992

ASSISTANT SECRETARY
OFFICE OF FISHERIES

State of Louisiana



Copy to: Bennie F.
John R.
Karen F.

4/7/92 csg

Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 2, 1992

Edwin W. Edwards
Governor

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

1.) Setting of the Spring Inshore Shrimp Season

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 2, 1992

Edwin W. Edwards
Governor

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

1. Shooting Preservers - Notice of Intent to Establish
Regulation For Waterfowl Tower Shoots
- 2) Public Comments - 1992-93 Hunting Regulations

RECEIVED

LA. DEPARTMENT OF
WILDLIFE & FISHERIES

APR - 6 1992

ASSISTANT SECRETARY
OFFICE OF FISHERIES

State of Louisiana



Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 2, 1992

Joe L. Herring
Secretary

Edwin W. Edwards
Governor

Copy to: *Corby*
Bennie F.
John R.
Karen F.

4/7/92 csg

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *JLH*

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

Dear Corby:

*I have no items
for the May Commission
meeting agenda*

RECEIVED
LA. DEPT. WILDLIFE & FISHERIES
APR - 7 1992

FISH DIVISION

Bennie

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 2, 1992

Edwin W. Edwards
Governor

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

HCD = no agenda items
[Signature]
4-13-92

RECEIVED
LA DEPARTMENT OF
WILDLIFE & FISHERIES

APR 07 92

HABITAT
CONSERVATION

Sharyn

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 2, 1992

Edwin W. Edwards
Governor

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

Civil restitution update
W. Kees
4-8-92

State of Louisiana



RECEIVED

APR 06

INFORMATION &
EDUCATION DIV.

Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 2, 1992

Edwin W. Edwards
Governor

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

4/9/92

*I + E has nothing.
Bob Dennie*

Ed

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 2, 1992

Edwin W. Edwards
Governor

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

Nothing Yet
Fredrick Pigeon

Winton

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 2, 1992

Edwin W. Edwards
Governor

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

✓ Enforcement Report
W.V.

State of Louisiana




Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 2, 1992

Edwin W. Edwards
Governor

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary 

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800

Edwin W. Edwards
Governor

February 18, 1992

MEMORANDUM

TO: Joe L. Herring, Secretary
FROM: Sharyn Bateman, ^{sf}Office of Wildlife
RE: Taping of May Commission Meeting

Taping of the Commission meetings that are held away from Baton Rouge have normally been coordinated through John Medica. I spoke with John today and he has informed me that the equipment is broken that has been used for these tapings and there is no way that they can tape the meetings. A solution to this problem is needed before the May meeting which is going to be in New Orleans. Possibly the equipment could be repaired but as I understand it is may not be worth it. Since the meeting is being held at LSUNO in the auditorium do they have a system such as we have in the Louisiana Room and if so could we use it? Thank you for your consideration in this matter. HELP!

sb

04/08/92 13:21 8

--- SEAFOOD MKTG.

001/001

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
April 2, 1992

Edwin W. Edwards
Governor

MEMORANDUM

Joe Herring TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

Karl Turner FROM: Joe L. Herring, Secretary

RE: Commission Meeting Agenda - May 7, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, April 15th any agenda items your office may have for the Thursday May 7th Commission meeting to be held in New Orleans, Louisiana, at the University Center, UNO campus, Lakeshore Drive at Elysian Fields Avenue. The annual public hearing on the upcoming spring inshore shrimp season will be held at this meeting beginning at 9:00 a.m. with the Commission.

At 1:00 p.m. Thursday, May 7th the Commission will hold its regular board meeting at the same location. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

NO AGENDA

Items

Karl Turner

4/7/92

State of Louisiana



Joe L. Herring
Secretary

Department of Wildlife and Fisheries
Post Office Box 98000
Baton Rouge, LA 70898-9000
(504) 765-2800
May 7, 1992

Edwin W. Edwards
Governor

M E M O R A N D U M

TO: Deputy Secretary, Undersecretary, Assistant Secretary-
Office of Wildlife, and Assistant Secretary-Office of
Fisheries

FROM: Joe L. Herring, Secretary

RE: Commission Meeting Agenda - June 4, 1992

Please write on the bottom of this memo and return to Sharyn Bateman by Wednesday, May 20th any agenda items your office may have for the Thursday June 4th Commission meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries building, Quail Drive. This meeting will begin at 10 a.m. on June 4th. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sb

C: Commissioners
Don Puckett
Bob Dennie
Winton Vidrine
Hugh Bateman
Johnnie Tarver
Tommy Prickett
Bennie Fontenot
Johnnie Tarver
Wynnette Kees
Karl Turner

season's opening day, "... because we have to get the shrimp before they leave out on the tide." Shrimp wholesaler Dean Blanchard from Grand Isle countered by saying that Monday is best because, "The commercial fisherman has been waiting a long time for these shrimp, and I don't think every little sport (recreational shrimper) ought to get the first crack at them." Many Zone II shrimpers seek smaller shrimp for canning and drying processors. Shrimpers in the other two zones prefer to take larger shrimp which bring higher prices on the wholesale and

shrimp in Zone II. "Shrimp tagged and released in Lake Borgne and Lake Pontchartrain stayed in the same general area for as long as 70 days and increased in size from over 100-count to 30-count," Dekemel said. "We do not think that we should sacrifice one half of our crop to catch 100-count shrimp ... because we have a market for larger shrimp." Biological evidence for Zone III showed the 100-count limit didn't pass the 50-percent line until June 1.

system by late February. LDWF figures indicate mid-March recruitment has led to the most productive seasons. There was an abundance of favorable factors in nursery grounds: Salinity has remained well above the minimum of 10 parts per thousand; March, April rainfall was far below normal; the Mississippi River is not introducing as much freshwater into the ecosystem as the last two seasons; and, there are 1.5 million acres of quality nursery grounds compared to one million acres this time last year.



Associated Press photo

son Piquet from his smashed Indy race car.

ove the temporary splint
jured foot and evaluate his
ive.

tors only put it (the splint)
down the swelling," she

ake owner Roger Penske
ected Mears to be back in

one of the team cars on Friday and
ready to qualify when time trials open
Saturday.

Momota, who came away from his
crash with a bruised right leg and an
apparent mild concussion, also was to
be examined by the speedway medical
staff Thursday before being cleared to
drive.

climb back into car

at mishap of any kind just
lying began last year. He
out his car was demolished
s forced to qualify his
He won the pole for a
time and then captured
ng A.J. Foyt and Al Unser
ly 500 victories.

as shaking down one of
nske's 1991 Penske-
A backup cars on
when the mishap
had just completed a lap
mph when smoke spewed
the compartment

the 2½-mile oval, the rear of the car,
running over water from a broken line
in the engine according to a team
spokesman, slipped and began sliding.
It spun nearly 180 degrees, slamming
the concrete wall with the left side of
the car.

Pieces flew in all directions as the
driver's tub momentarily turned
upside down, then slid 730 feet down
the track on its side.

The three-time IndyCar series
champion still limps from serious foot
and ankle injuries sustained in a crash

LWFC commissioners trade heated words over habitat issues

By JOE MACALUSO
Outdoor writer

NEW ORLEANS — Two topics on the agenda of regular monthly meeting of the Louisiana Wildlife and Fisheries Commission sparked heated words from commission members Thursday.

Commission member Bert Jones and secretary of the Louisiana Department of Wildlife and Fisheries Joe Herring argued about future of what once was the LDWF's Habitat Conservation Division.

In complying with budget cuts mandated by the Division of Administration in the first months of Gov. Edwin Edwards term in office, Herring announced that HCD, along with the Fish Research Division, were being eliminated. Most of the programs in those two divisions were retained and absorbed into other, long-standing divisions.

Jones called for the item to put on the agenda after, he said, he heard rumors that the LDWF, "... was trying to give the Natural Heritage Program (in the HCD)," to the Department of Culture, Recreation and Tourism, where it would be absorbed into an archeological program.

"I was unaware that this was happening and I think that the commission charged with overseeing such matters would be informed of such a move," Jones said.

Herring, who is a commission member by virtue of his appointment, answered that the LDWF "was not trying to put the program on the State Parks system," but that the move "came up in meetings with the Division of Administration during the budget cuts."

According to Herring, CRT secretary Mark Hilzlm did not like the idea, and that the move had apparently been nixed when the Division of Administration would not transfer monies from the general fund from the LDWF to CRT to fund the program.

Jones pressed the issue until Herring admitted, "I did not oppose the change."

At that point, the heated exchange began when Jones said he was concerned, "... that a program in this department was being shopped around ... and you (Herring) told me it might be better that it (Natural Heritage) be somewhere else."

There was another exchange with Herring telling Jones that he had "saved" that program when the Department of Natural Resources wanted to do away with the program.

"This is a very important part of the Department of Wildlife and Fisheries and it needs to remain intact and

“This is a very important part of the Department of Wildlife and Fisheries and it needs to remain intact and functioning. It may seem funny to you, but it's a real issue. It really is.”

—Bert Jones

functioning," Jones said. "It may seem funny to you, but it's a real issue. It really is."

LWFC chairman Jimmy Jenkins Jr. took issue with the department over a report on the stature of redfish the commission was required to present to the legislature March 1.

Jenkins said he telephoned the department in late February inquiring about the report. After two days had passed without a reply, Jenkins said he went to sources outside the department for the information. The department produced a report March 13.

Jenkins said a the Senate Natural Resources Committee, "raked us over the coals" about the report.

"The fact is that I made a call a week ahead and got no response at all from the department," Jenkins said. "We should have been told if it was late because there was incomplete information at the time the report was required to be submitted."

"All I can tell you is that Mr. (commission member Jeff) Schneider and I didn't enjoy getting chewed on," Jenkins continued. "I understand the situation that this is a new administration and we're willing to take it this year, but not anymore ... and that's the way it's going to be."

Topping the agenda was Safari Club International's Agent of the Year Award went to Ken Aycock, who drowned in while on water patrol last year.

In other action, the LWFC learned that the LDWF had obtained enough land to form a new wildlife management area, named Tunica Hills WMA, in West Feliciana Parish; promulgated the new seismic fees; passed a resolution to regulate hunting preserves where there is release of pen-raised mallard ducks; was informed that some \$7,000 more in the Civil Penalties Program had been received; Enforcement Division agents made 2,205 cases in April; and, set the August meeting for Aug. 6 at the LDWF Headquarters in Baton Rouge.

LeMond wins tour prologue

By The Associated Press

WILMINGTON, Del. — Greg LeMond ended a two-year victory drought on Thursday when he rode to a two-second win in the prologue individual time trial of the windy and overcast Tour Du Pont bicycle race.

the race leader's yellow jersey for the first stage.

Although he has won a mountain bike race for two straight years in Wisconsin, LeMond had not been victorious in an individual road race since his dramatic triumph in the World Championship at Chambery, France in 1989.

For MarynDate 4-20Time 4:15**WHILE YOU WERE OUT**M Bert Jones

From _____

Phone No. _____

Area Code

Number

Extension

TELEPHONED

URGENT

PLEASE CALL

WANTS TO SEE YOU

WILL CALL AGAIN

CAME TO SEE YOU

RETURNED YOUR CALL

Message Bert Jones wants

added to the agenda -
"Discussion of the
Habitat Conservation
Division"

Operator

For Sharyn

Date 5-1 Time 9:45

WHILE YOU WERE OUT

M. Jeff Schneider

From _____

Phone No. _____

Area Code

Number

Extension

TELEPHONED	<input type="checkbox"/>	URGENT	<input type="checkbox"/>
PLEASE CALL	<input type="checkbox"/>	WANTS TO SEE YOU	<input type="checkbox"/>
WILL CALL AGAIN	<input type="checkbox"/>	CAME TO SEE YOU	<input type="checkbox"/>

RETURNED YOUR CALL ☐

Message add to agenda

under his name -

"Discussion of Redfish
Report"

Pauli

Operator